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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

##### Subchapter A—Commodity Standards and Standard Container Regulations

#### PART 34—REGULATIONS UNDER THE TOBACCO SEED AND PLANT EXPORTATION ACT

By virtue of the authority vested in the Secretary of Agriculture by the Tobacco Seed and Plant Exportation Act (54 Stat. 231; 7 U.S.C., 516 et seq.), the following revision of the regulations issued thereunder (7 CFR, 1945 Supp., 34.1 et seq.) is hereby promulgated:

##### GENERAL PROVISIONS

Sec. 34.1 Definitions.

##### ADMINISTRATION

34.2 Administrator.

##### PERMITS

34.3 Permit required.  
34.4 Restrictions upon issuance of permits.  
34.5 Method of obtaining permits.  
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##### INSTRUCTIONS TO SHIPPERS

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##### DISPOSITION OF USED PERMITS

34.11 Procedure.

AUTHORITY: §§ 34.1 to 34.11, inclusive, issued under 54 Stat. 231; 7 U.S.C., 516 et seq.

##### GENERAL PROVISIONS

§ 34.1 *Definitions.* (a) "Secretary" means the Secretary of Agriculture of the United States.

(b) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any employee of the United States Department of Agriculture to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

(c) "Director" means the Director of the Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture.

(d) "Act" means the Tobacco Seed and Plant Exportation Act (54 Stat. 231; 7 U.S.C., 516 et seq.).

##### ADMINISTRATION

§ 34.2 *Administrator.* The Administrator is charged with the administration of the provisions of the act and the regulations in this part.

##### PERMITS

§ 34.3 *Permit required.* No tobacco seed or live tobacco plants may be exported from the United States or any Territory subject to the jurisdiction thereof to any foreign country, port, or place unless such exportation or transportation shall have been authorized in advance by a written permit of the Secretary countersigned by the Director.

§ 34.4 *Restrictions upon issuance of permits.* (a) Permits will be granted only where the evidence indicates that the consignee is a representative of a government institution or an agency engaged in conducting agricultural experiments in the course of scientific research.

(b) Quantities permitted to be exported will be restricted to 14 grams or ½ ounce of seed or 500 live plants of any one variety, with the exception of the species *Nicotiana rustica*, to which this restriction will not apply.

§ 34.5 *Method of obtaining permits.* Applications for permits shall show the following information:

- (a) Name and address of exporter.
- (b) Name, official title, address of person to whom the seed or plants are to be consigned, and the institution at which research is to be conducted.
- (c) Type and variety of seed or plants.
- (d) Nature of experiments to be conducted and objectives sought.
- (e) Method of shipment proposed.
- (f) Port of exit or post office of mailing.
- (g) The intended date of exportation.

§ 34.6 *Exceptions.* Shipments of tobacco seed or plants originating in a foreign country and entering or leaving a

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port of the United States in transit through the territory of the United States to a foreign country will not require a permit under the terms of the regulations in this part.

#### INSTRUCTIONS TO SHIPPERS

§ 34.7 *Marking packages.* Packages or parcels containing tobacco seed or plants, the exportation of which has been authorized, shall be marked "Tobacco Seed and Plant Export Permit No. ...." with the permit number inserted in the blank space.

§ 34.8 *Shipments by mail.* The permit must be filed by the consignor with the Postmaster at the office of mailing.

§ 34.9 *Shipments by railway, ferry boat, or vehicle.* The permit must be filed with the Collector of Customs at the port from which the shipment is to be exported.

§ 34.10 *Shipments by seagoing vessel or airplane.* The permit must be filed with the Collector of Customs at the port of lading on board the exporting vessel or airplane at least 24 hours before de-



parture; and, in the case of shipment by a seagoing vessel, the permit must be filed at least 24 hours before the lading of such vessel.

#### DISPOSITION OF USED PERMITS

§ 34.11 *Procedure*. Permits filed with postmasters and collectors of customs shall be stamped or endorsed to show the place and date of filing, and shall be mailed to the following address: Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Issued at Washington, D. C., this 5th day of June 1946.

[SEAL] N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-9583; Filed, June 6, 1946; 11:17 a. m.]

#### Chapter IV—Production and Marketing Administration (Crop Insurance)

[Amdt. 2]

#### PART 419—COTTON CROP INSURANCE REGULATIONS FOR THE 1946 AND SUCCEEDING CROP YEARS

##### INSURANCE UNIT

The Cotton Crop Insurance Regulations contained in Part 419 are hereby amended as follows:

Section 419.37 (1) is amended to read:

(1) "Insurance unit" means all or that portion, as the case may be, of the farm (considered for the purpose of establishing the average yield(s) and premium rate(s)) in which the insured has an interest as a cotton producer at the time of planting, except that (1) when a part of such land is regularly irrigated and a part is never irrigated, the portion of the land on the farm which is to be irrigated in the current crop year (as shown on the acreage report of the insured) shall constitute one insurance unit and the remainder shall constitute another insurance unit, and (2) when separate yields and rates have been established for widely separated parts of such land, such portions of the land shall constitute separate insurance units: *Provided, however*, That in Bailey, Briscoe, Castro, Crosby, Floyd, Hale, Hockley, Lamb, Lubbock, Lynn, Swisher, Terry and Tom Green Counties, Texas, except as provided in (2) above, any irrigable land on the farm to which irrigation water can be delivered from existing irrigation facilities and any other contiguous small tracts shall constitute one insurance unit and the remainder shall constitute another insurance unit if so designated on the approved crop insurance listing sheet: *Provided further*, That all or any part of such land which is designated on the crop insurance listing sheet as "non-insurable" shall not constitute an insurance unit or any part thereof and shall not be considered in any manner whatsoever under the insurance contract, except as provided in § 419.17 (b).

Adopted by the Board of Directors on May 29, 1946.

[SEAL] E. D. BERKAW,  
Acting Secretary.

Approved: June 5, 1946.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-9584; Filed, June 6, 1946; 11:17 a. m.]

#### TITLE 16—COMMERCIAL PRACTICES

##### Chapter I—Federal Trade Commission

[Docket No. 5281]

##### PART 3—DIGEST OF CEASE AND DESIST ORDERS

###### LILEE PRODUCTS CO., ET AL.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product*: § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service*: In connection with the offering for sale, sale, or distribution of the preparation designated "Lilee Brand Calcium Pantothenate Tablets" or "Hygea Brand Calcium Pantothenate Products," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' products, which advertisements represent, directly or through inference; (a) that said preparation will restore the original natural color to gray hair, or any color resembling the original natural color; or, (b) that said preparation is an anti-gray-hair vitamin; prohibited. (Sec. 5, 33 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Lilee Products Company, et al., Docket 5281, April 29, 1946]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 29th day of April, A. D. 1946.

*In the Matter of Lee Goldstine and Lillian Goldstine, Individuals Trading as Lilee Products Company and Paul Grant, an Individual Trading as Paul Grant Advertising Agency*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, certain stipulated facts, testimony and other evidence taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint (respondents not having filed brief and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That respondents Lee Goldstine and Lillian Goldstine, individuals trading as Lilee Products Company,

as Hygea Vitamin Company, or under any other name or names, jointly or severally, their representatives, agents, and employees, and respondent Paul Grant, an individual trading as Grant Advertising Agency, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of the preparation designated "Lilee Brand Calcium Pantothenate Tablets" or "Hygea Brand Calcium Pantothenate Products," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That said preparation will restore the original natural color to gray hair, or any color resembling the original natural color.

(b) That said preparation is an anti-gray-hair vitamin.

2. Disseminating, or causing to be disseminated, by any means, any advertisement for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of respondents' products in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in paragraph 1 above.

*It is further ordered*, That the respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 46-9586; Filed, June 6, 1946; 11:13 a. m.]

[Docket No. 4572]

##### PART 3—DIGEST OF CEASE AND DESIST ORDERS

###### MANHATTAN BREWING CO.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place—Domestic product as imported*: § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Domestic product as imported*: § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Domestic product as imported*. In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth, (1) using any brand or trade name containing the word "Canadian" or any simulation thereof, to designate, describe, or refer to any beer or ale which is not brewed in Canada unless accom-



panied in immediate connection and conjunction therewith by suitable statements clearly, conspicuously and adequately informing prospective purchasers and the public that such beer or ale is brewed in the United States of America; or otherwise representing directly or by implication, that beer or ale which is not brewed in Canada is brewed in that country; or (2) representing, directly or by implication, that beer or ale brewed in the United States is imported from any foreign country; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Manhattan Brewing Company, Docket 4572, April 5, 1946]

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place.* In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth, using any brand or trade name containing the word "Wisconsin", or any simulation thereof, to designate, describe, or refer to any beer which is not brewed in the State of Wisconsin; or otherwise representing, directly or by implication, that beer which is not brewed in Wisconsin is brewed in that State; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Manhattan Brewing Company, Docket 4572, April 5, 1946]

§ 3.6 (l) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (dd 10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.18 *Claiming indorsements or testimonials falsely:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approvals or awards:* § 3.66 (k 1) *Misbranding or mislabeling—Success, use or standing.* In connection with offer, etc., in commerce, of respondent's beer and ale, and among other things, as in order set forth, using any pictorial representation which simulates in appearance the British Royal Coat of Arms; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Manhattan Brewing Company, Docket 4572, April 5, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of April A. D. 1946.

This proceeding came on for hearing before the Federal Trade Commission on the complaint, answer of respondent, testimony and other evidence, report of the trial examiner, briefs in support of the complaint and in opposition thereto, and oral arguments of counsel. The Commission, after duly considering the matter and finding that the proceeding was in the public interest, made, entered and served upon respondent and duly recorded and filed in the office of the Commission on September 7, 1943, its findings as to the facts, its conclusion drawn therefrom and its order to cease and desist.

Subsequently thereto, and after the statutory time allowed for the filing of

a petition for review of said proceeding had expired, the Commission, on the 27th day of March, 1946, duly notified respondent to appear and show cause why this proceeding should not be reopened and the findings of facts and order to cease and desist be altered, modified and set aside, in part, in the manner and terms therein set forth.

Respondent, on the 1st day of April 1946, having filed a waiver of hearing and its consent to the entry of an order modifying the findings of facts and the order to cease and desist in the manner set forth in the order to show cause, and the Commission having duly considered the matter and being now fully advised in the premises, and being of the opinion that the public interest requires that said findings of facts and order to cease and desist be altered, modified and set aside, in part.

It is now ordered, That this proceeding be, and the same hereby is, reopened.

It is further ordered, That the second sentence of the second paragraph of paragraph 7 of the said findings of fact be, and the same hereby is, set aside, and the following finding substituted in lieu thereof:

The Commission is of the opinion, however, and finds that these legends as heretofore used are too inconspicuous and inadequate to adequately explain or qualify the word "Canadian," so as to prevent deception or confusion in the mind of a substantial portion of the public.

It is hereby further ordered, That paragraph 1 of said order to cease and desist be, and the same hereby is, set aside, and the following order substituted in lieu thereof:

Using any brand or trade name containing the word "Canadian" or any simulation thereof, to designate, describe, or refer to any beer or ale which is not brewed in Canada unless accompanied in immediate connection and conjunction therewith by suitable statements clearly, conspicuously and adequately informing prospective purchasers and the public that such beer or ale is brewed in the United States of America; or otherwise representing directly or by implication, that beer or ale which is not brewed in Canada is brewed in that country.

It is further ordered, That the said findings as to the facts and conclusion and order to cease and desist, modified as hereinbefore set forth, shall be as follows:

#### *Modified Findings as to the Facts and Conclusion*

PARAGRAPH 1. The respondent, Manhattan Brewing Company, is a corporation organized under the laws of the State of Illinois, with its principal office and place of business located at 3901 Emerald Avenue, Chicago, Illinois. Respondent is now and for a number of years last past has been engaged in the brewing of beer and ale, and in the sale and distribution of such products to wholesale and retail dealers, restaurants, taverns, and other purchasers.

PAR. 2. In the course and conduct of its business respondent causes and has caused its products, when sold, to be transported from its place of business

in the State of Illinois to purchasers thereof located in various other States of the United States. Respondent maintains and has maintained a course of trade in its products in commerce among and between various States of the United States.

PAR. 3. Respondent is and at all times mentioned herein has been in substantial competition with other corporations and with partnerships and individuals engaged in the sale and distribution of beer and ale in commerce among and between various States of the United States.

PAR. 4. Among the various brands of beer and ale brewed and sold by respondent is a beer designated by respondent as "Canadian Ace Brand Beer" and an ale designated by respondent as "Canadian Ace Brand Ale." The beer was placed on the market in 1939 and the ale in the early part of 1941. Respondent formerly sold another brand of beer designated by it as "Old Wisconsin Lager Brand Beer." This beer was placed on the market in September 1939, but was discontinued in the spring of 1941.

PAR. 5. Respondent advertises its Canadian Ace Brand beer and ale extensively, most of the advertising being what is known as point-of-sale advertising, that is, advertising supplied to the retail seller for display or distribution to the public. The various advertising media used include menu covers and sheets, table display cards, place cards and coasters, paper table napkins, leaflets, booklets, and large show window placards. Radio advertising has also been employed to a limited extent, and at least one advertisement was inserted in a trade journal having general circulation among beer distributors. In all of this advertising the word "Canadian" or the words "Canadian Ace" have been featured. These words are also featured in the labels on the bottles or other containers in which the beer is packaged and sold.

PAR. 6. The Commission finds that the use by respondent of the word "Canadian" as a part of the brand or trade name for these products constitutes a representation that the products are of Canadian origin, that is, that they are brewed in the Dominion of Canada and imported into the United States. Not only does this conclusion necessarily result from a consideration of the word itself, but it is supported also by the testimony of a number of witnesses at the hearings, including both persons in the trade and members of the purchasing public. Neither the beer nor the ale is in fact brewed in Canada, both being brewed by respondent at its place of business in Chicago along with various other products. The evidence further shows, and the Commission finds, that there is a preference on the part of a substantial portion of the purchasing public for beer and ale which is brewed in Canada over that brewed in the United States, this preference being found particularly in those States of the United States which lie nearest the Dominion of Canada.

PAR. 7. Early in 1940 respondent began placing on its labels the words "Made in the U. S. A." these words appearing at the lower right-hand corner of the label and being imprinted in white on a red background. In the lower left-hand cor-



ner of the label there appear in small type the words "Brewed and Bottled by Manhattan Brewing Co., Chicago, Illinois." Also in some of its advertising material respondent has inserted certain expressions such as "Made in the U. S. A.," and "An American beer in the best Canadian tradition." Some of the advertising also carries a picture of the bottle showing the current label.

It is urged by respondent that the use of these words on the labels and in the advertising, particularly the use on the labels of the words "Made in the U. S. A.," is sufficient to correct any erroneous impression which might otherwise be conveyed through the use of the word "Canadian," and that in consequence, there is no deception of the public. The Commission is of the opinion, however, and finds that these legends as heretofore used are too inconspicuous and inadequate to adequately explain or qualify the word "Canadian", so as to prevent deception or confusion in the mind of a substantial portion of the public.

PAR. 8. The Commission finds further that the former use by respondent of the word "Wisconsin" as a part of the brand name for one of its products constituted a representation that the beer so designated was brewed in the State of Wisconsin. This beer was not in fact brewed in Wisconsin but was brewed by respondent at its place of business in Chicago. There is a preference on the part of a substantial portion of the purchasing public for beer which is brewed in Wisconsin over that having its origin in other States of the United States.

PAR. 9. In connection with the sale of its Canadian Ace Brand beer and ale, respondent has also made use of a crest simulating the British Royal Coat of Arms, such crest being displayed both in certain of respondent's advertising material and in the labels of the bottles. The use of this crest constituted a representation that respondent was a Royal Warrant holder, enjoying the patronage of the British Royal Family or some member thereof, and was therefore entitled to display the British Royal Coat of Arms on its products. Respondent has not at any time been a Royal Warrant holder and was not authorized to make use of such crest. There is a preference on the part of a substantial portion of the purchasing public for merchandise bearing the British Royal Coat of Arms. In 1942 respondent made material changes in the crest, with the result that the similarity between the crest and the British Royal Coat of Arms was eliminated.

PAR. 10. The Commission finds further that the use by respondent of the word "Canadian" and the word "Wisconsin" in designating and describing its products, and the use of the crest simulating the British Royal Coat of Arms, as herein set forth, has or has had the tendency and capacity to mislead and deceive a substantial portion of the purchasing public with respect to the origin of such products and with respect to respondent's business identity and status, and the tendency and capacity to cause such portion of the public to purchase substantial quantities of respondent's prod-

ucts as a result of the erroneous and mistaken belief so engendered. In consequence thereof, substantial trade has been diverted unfairly to the respondent from its competitors, among whom are many who do not use the practices and methods herein described.

#### Conclusion

The acts and practices of the respondent as herein found are all to the prejudice of the public and of respondent's competitors, and constitute unfair methods of competition in commerce within the intent and meaning of the Federal Trade Commission Act.

#### Modified Order to Cease and Desist

It is ordered, That the respondent, Manhattan Brewing Company, a corporation and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's beer and ale in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using any brand or trade name containing the word "Canadian" or any simulation thereof, to designate, describe, or refer to any beer or ale which is not brewed in Canada unless accompanied in immediate connection and conjunction therewith by suitable statements clearly, conspicuously and adequately informing prospective purchasers and the public that such beer or ale is brewed in the United States of America; or otherwise representing directly or by implication, that beer or ale which is not brewed in Canada is brewed in that country.

2. Using any brand or trade name containing the word "Wisconsin", or any simulation thereof, to designate, describe, or refer to any beer which is not brewed in the State of Wisconsin; or otherwise representing, directly or by implication, that beer which is not brewed in Wisconsin is brewed in that State.

3. Representing, directly or by implication, that beer or ale brewed in the United States is imported from any foreign country.

4. Using any pictorial representation which simulates in appearance the British Royal Coat of Arms.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this modified order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

An opinion by Commissioner Mason, and a dissenting opinion by Commissioner Ayres, concurred in by Commissioner Davis, are attached.<sup>1</sup>

Dated this 5th day of April, A. D. 1946.

[SEAL] GARLAND S. FERGUSON,  
Acting Chairman.

Attest:

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 46-9587; Filed, June 6, 1946;  
11:20 a. m.]

<sup>1</sup> Filed as part of the original document.

## TITLE 32—NATIONAL DEFENSE

### Chapter VIII—Office of International Trade, Department of Commerce

#### Subchapter B—Export Control

[Amdt. 195]

#### PART 801—GENERAL REGULATIONS

##### PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the list of commodities set forth in paragraph (b) the descriptions of the commodities potassium nitrate and potassium nitrate mixtures classified under Schedule B No. 835900 are amended to read as follows:

Dept. of Com.

Sched. B No.

Commodity

	Potassium compounds, except fertilizers;
835900	Potassium nitrate
835900	Potassium nitrate mixtures except potassium nitrate powders (black saltpeter powder).

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: May 29, 1946.

JOHN C. BORTON,  
Director,

Requirements and Supply Branch.

[F. R. Doc. 46-9577; Filed, June 6, 1946;  
10:44 a. m.]

[Amdt. 196]

#### PART 802—GENERAL LICENSES

##### GIFT PARCELS

Section 802.29 *General license for gift parcels* is hereby amended to read as follows:

§ 802.29 *General license for gift parcels*—(a) *General license*. There is hereby granted a general license authorizing the exportation of gift parcels, as defined in paragraph (b) of this section, to all destinations to which parcel post service is available, except Japan; *Provided*, That such exportation is in accordance with the following provisions of this section:

(b) *Definition*. For the purpose of this general license a gift parcel is defined as a parcel containing commodities having a total value not in excess of \$25.00, donated to an individual in a foreign country free of cost to such individual, mailed by parcel post to such individual and conforming to Post Office Department regulations as to size and weight; *Provided, however*, That in no event shall the weight exceed eleven pounds.

(c) *General license designation*. The legend "Gift Parcel" shall be plainly written on the address side of the parcel and on any Customs declaration required by the Bureau of Customs, the inscription of which on the parcel shall constitute a certification by the donor



that the shipment complies with the provisions of this general license.

(d) *Destinations*—(1) *Shipments to general destinations*. Gift parcels may be sent to individuals in all destinations to which parcel post service is available except Germany and Japan in accordance with the following provisions:

(i) No gift parcel shall contain commodities other than those of a personal nature, such as: Clothing, piece goods, toilet preparations, including soaps and shaving creams, writing materials, medicinals, including vitamins, and non-perishable foodstuffs, sent free of cost to an individual in a foreign country.

(ii) No more than one gift parcel may be sent by the same donor to the same donee in any one calendar week.

(2) *Shipments to Germany*. No gift parcels may be sent to Germany except to persons located in the United States occupied zone of Germany and then only in accordance with the following provisions:

(i) The gift parcel shall contain no commodity other than clothing, non-perishable foodstuffs, medicinals and vitamins, soaps and shaving creams.

(ii) Not more than one gift parcel may be sent from the same donor to the same donee in any one calendar week.

This amendment shall become effective on June 1, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: June 5, 1946.

JOHN C. BORTON,  
Director,

Requirements and Supply Branch.

[F. R. Doc. 46-9578; Filed, June 6, 1946;  
10:44 a. m.]

## Chapter IX—Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 1, as Amended June 6, 1946]

#### LUMBER, HARDWOOD FLOORING AND MILLWORK

Direction 1 to Priorities Regulation 33 is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of lumber and millwork for defense, for private account and for export; and the following direction is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) *What this direction does*. Priorities Regulation 33 and Direction 8 to Priorities Regulation 33 provide for the assignment to builders, prefabricators and others, of priorities assistance to secure materials listed on Schedule A of Priorities Regulation 33 and List I of Direction 8 to Priorities Regulation 33, which are required for use in the Veterans' Emergency Housing Program. Among these items are lumber, hardwood flooring and millwork. This direction provides that sawmills shall produce a percentage of their total production of lumber in housing construction lumber and hardwood flooring lumber and hold as a reserve for certified orders from distributors, office wholesalers, millwork manufacturers, hardwood flooring manufacturers and prefabricators, as well as rated orders from housing contractors and other consumers. It applies to all sawmills and to lumber distributors, office wholesalers, millwork manufacturers, hardwood flooring manufacturers, prefabricators and housing contractors, and other consumers who have been assigned priorities assistance. It explains how such persons may obtain lumber or lumber products for the purpose for which the priorities assistance was granted and how delivery on such orders must be made. It also provides that the Civilian Production Administration may issue directives to allocate production, direct shipments, and direct or prohibit production of particular items.

This direction does not apply to lumber other than housing construction lumber and hardwood flooring lumber, and all such lumber must be sold and delivered in accordance with Priorities Regulation 1.

#### DEFINITIONS

(b) *Definitions for the purpose of this direction*. (1) "Lumber" means any sawed lumber of any species, size or grade, including rough, surfaced on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for spines, except (i) shingles, slabs and round edge lumber; (ii) mine and railway cross ties nine feet or less in length; (iii) any segment of a log which has been produced so that it can be converted into veneer and which is sold and used for that purpose.

(2) "Distributor" means any person who buys and stocks lumber for resale as lumber either at wholesale or retail. A distributor who has two or more distinct and separate yards must for the purpose of this direction, consider each yard a "distributor".

(3) "Housing construction lumber" means softwood lumber in the form of flooring, ceiling, siding, partition, casing, base, moulding stock, strips and boards, two-inch dimension, finish, shop and lath.

(4) "Millwork" means windows, sash, doors; window sash and door frames; window and door screens; out stock for foregoing items; trim, mouldings, built-in kitchen cabinets and other built-in millwork items suitable for authorized housing construction under Priorities Regulation 33.

(5) "Hardwood flooring lumber" means Grades 2 and 3a, rough, in all thicknesses of Oak, Pecan and Beech, in 4/4 and 8/4 thicknesses of Hard Maple and 4/4 and thinner thicknesses in Birch.

(6) "Sawmill" means: (i) any mill or plant, stationary or portable; (ii) any plant or concentration yard which processes (by drying, resawing, edging, grading, sorting, planing, or otherwise) 25 percent or more of the total volume of logs and lumber which it receives, into an item which is defined as lumber. However, the term "sawmill" does not include any establishment known in the trade as a distribution yard engaged in either retail or wholesale business even though it may process, for the servicing of special orders from consumers, more than 25 percent of the lumber it receives.

(7) "Housing contractor" means a builder (applicant) who has been directly assigned

an HH rating under Priorities Regulation 33. It also includes a general contractor who has been directly authorized by such a builder to use the HH rating for the whole job. It does not include a subcontractor authorized to use the HH rating for a part of the job.

(8) "Millwork manufacturer" means a person who consumes a softwood lumber in the manufacture of millwork.

(9) "Hardwood flooring manufacturer" means a person who consumes hardwood flooring lumber in the manufacture of standard hardwood flooring.

(10) "Office wholesaler" means a person who buys lumber for resale but does not stock lumber.

(11) "Certified order" is any order for the delivery of lumber bearing the certificate described in paragraph (1).

(12) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(13) "Prefabricator" means a person engaged in the manufacture of prefabricated houses, panels or sections who has been directly given priorities assistance on Form CPA-4415 to build prefabricated houses, panels or sections.

#### SAWMILLS

(c) *Sawmill reserve production*. The following provisions will govern the amount of housing construction lumber sawmills shall produce and reserve for certified and rated orders.

(1) Each sawmill as described in paragraph (b) (6) above, shall reserve in his over-all production of lumber in footage for the month of June, 1946, and for each calendar month thereafter, time and supplies sufficient to produce and deliver on certified or rated orders within such month at least 50 percent of his expected monthly production of softwood lumber in the form of housing construction lumber, and 100 percent of the Grades 2 and 3a rough, in all thicknesses of Oak and Pecan; 100 percent of Grades 2 and 3a rough, in 4/4 and 8/4 thicknesses of Hard Maple; 25 percent of Grades 2 and 3a rough, in all thicknesses of Beech; and 25 percent of Grades 2 and 3a rough, in 4/4 and thinner thicknesses of Birch.

The Civilian Production Administration may from time to time, change such percentage by publication in the Federal Register prior to the first day of any month.

(2) Where it is the customary practice of a sawmill to season lumber as described in paragraphs (b) (3) and (b) (5) by air drying, the lumber properly piled for seasoning and carried in inventory for this purpose will not be considered as produced until seasoned for the customary period.

(3) This direction does not prevent the free movement of softwood or hardwood lumber between sawmills. However, a sawmill that delivers all or any part of his lumber to another sawmill must still manufacture the percentage required under paragraph (c) (1) above, of his softwood or hardwood production into housing construction lumber or hardwood flooring lumber. A sawmill receiving housing construction lumber or hardwood flooring lumber from another sawmill must hold such lumber for sale on certified or rated orders in addition to his own reserve production. A sawmill delivering housing construction lumber or hardwood flooring lumber to another sawmill may credit against his reserve production under paragraph (c) (1) above the amount of housing construction lumber or hardwood flooring lumber so delivered.

(4) Every sawmill must hold his reserve production until the last day of each month for delivery on certified or rated orders and must accept and ship such orders for delivery in that month in preference to all



other orders to the extent that such orders do not require more than the sawmill's monthly reserve production. The order of precedence for filling certified and rated orders is given in paragraph (m) (1) below. A sawmill, however, must not accept for delivery in any month orders rated MM for more housing construction lumber or hardwood flooring lumber than 5 percent of his reserve production for that month except on special authorization from the Civilian Production Administration. When a sawmill has accepted certified or rated orders for housing construction lumber or hardwood flooring lumber to the extent of his reserve, he must not accept additional certified or rated orders (except AAA), for housing construction lumber or hardwood flooring lumber produced in that month. Any portion of the sawmill's production of housing construction or hardwood flooring lumber not required to fill certified or rated orders received during the month, may be sold only on uncertified and unrated (except AAA) orders.

(5) *Certified orders.* The following types of certified orders placed with the sawmill will be accorded the treatment provided for in paragraph (c) (4) above, and shipments on such orders may be credited against the percentage the sawmill is required to produce and reserve each month: Certified orders from (i) distributors; (ii) millwork manufacturers; (iii) hardwood flooring manufacturers; (iv) office wholesalers; (v) prefabricators.

#### DISTRIBUTORS

(d) *Distributors.* The following provisions tell how lumber distributors may place certified orders for housing construction lumber and how lumber so obtained may be sold:

(1) Any distributor may place certified orders for delivery each month for housing construction lumber with a sawmill, a distributor who sells at wholesale or an office wholesaler for one of the following amounts whichever is greater: (i) starting with the month of June an amount of housing construction lumber not exceeding 7 percent of the amount in footage of his inventory of all softwood lumber as of January 1, 1942, or (ii) two carloads of housing construction lumber in any calendar quarter at the rate of not more than one carload in any month of the quarter.

(2) Every distributor must reserve 75% of the lumber received in any month on certified orders for delivery on certified and rated orders. A distributor must accept all certified and rated orders up to the reserve quantities which are received before the end of the month regardless of whether such orders call for delivery within that month. A distributor, however, may not accept for delivery in any month orders rated MM for more housing construction lumber than 10% of the quantity reserved in that month. In addition, he must not accept certified or rated orders (except AAA) for a quantity in excess of the reserve. Any lumber received on certified orders which a distributor is not required to reserve and any lumber in the reserve for which certified and rated orders are not received during the month, may be delivered by a distributor only on uncertified and unrated (except AAA) orders.

(3) A distributor may not use MM, CC or HH rated orders to get housing construction lumber from a supplier to fill a rated order for housing construction lumber, and he may not use an MM, CC or HH rating to replace in inventory housing construction lumber delivered from inventory on an MM, CC or HH rated order.

#### OFFICE WHOLESALER

(e) *Office wholesaler.* (1) An office wholesaler receiving certified orders from a distributor, millwork manufacturer, hardwood flooring manufacturer, or prefabricator, may place certified orders with the sawmill for an

amount of housing construction lumber or hardwood flooring lumber not in excess of the amount called for by the certified orders which he has received.

(2) An office wholesaler receiving AAA, MM, CC or HH rated orders for not less than carload lots of housing construction lumber or hardwood flooring lumber may extend the rating on such orders to the sawmill for direct mill shipments.

#### MILLWORK MANUFACTURERS

(f) *Millwork manufacturers.* The following provisions tell how millwork manufacturers may place with a sawmill, an office wholesaler or a distributor certified orders for housing construction lumber and how such lumber shall be used, and the millwork sold:

(1) Any millwork manufacturer may place certified orders for delivery in each month starting with the month of June, 1946, for housing construction lumber with a sawmill, an office wholesaler or a distributor for an amount in footage not exceeding 8 percent of the amount in footage of softwood lumber consumed by him in the manufacture of millwork in the year 1940.

(2) A millwork manufacturer must use each month a quantity of lumber equal to all housing construction lumber received on certified orders for the manufacture of millwork. Every millwork manufacturer must reserve 75 percent of the millwork so manufactured for delivery on certified or rated orders. He must accept certified or rated orders up to the reserve which are received before the end of the month, regardless of whether such orders call for delivery within the month. A millwork manufacturer, however, may not accept for delivery in any month orders rated MM for more millwork than 10% of the quantity reserved in that month. In addition, he must not accept certified and rated orders for a quantity in excess of the reserve. Any millwork which the millwork manufacturer is not required to reserve and any millwork in the reserve for which certified and rated orders are not received during the month in which it is manufactured, may be delivered by the millwork manufacturer only on uncertified and unrated (except AAA) orders.

(3) A millwork manufacturer placing certified orders under paragraph (f) (1) above for delivery of housing construction lumber, who receives a rated order (except AAA) for millwork, may not extend the rating to a supplier to get housing construction lumber.

(4) A person not authorized as a millwork manufacturer to place certified orders under paragraph (f) (1) above, who has received an AAA, MM, CC or HH rated order for millwork, may extend the AAA, MM, CC or HH rating to his supplier, except to a sawmill, to get housing construction lumber to be incorporated in the millwork which he will deliver on that order, subject to the applicable inventory regulations.

#### HARDWOOD FLOORING MANUFACTURERS

(g) *Hardwood flooring manufacturers.* The following provisions tell how hardwood flooring manufacturers may place with a sawmill or office wholesaler certified orders for hardwood flooring lumber and how such lumber shall be used and the hardwood flooring sold:

(1) Hardwood flooring manufacturers may place certified orders for delivery each month starting with the month of June, 1946, with a sawmill or with an office wholesaler for hardwood flooring lumber for an amount in footage not to exceed 8 percent of the amount of footage of hardwood flooring lumber consumed in the manufacture of hardwood flooring in the year 1940.

(2) A hardwood flooring manufacturer shall use each month a quantity of hardwood lumber equal to all hardwood flooring lumber received on certified orders for the manufacture of hardwood flooring. Every hard-

wood flooring manufacturer must reserve 75 percent of the hardwood flooring so manufactured during that month for delivery on certified or rated orders. He must accept certified or rated orders up to the reserve which are received before the end of the month, regardless of whether such orders call for delivery within the month. A hardwood flooring manufacturer, however, may not accept for delivery in any month orders rated MM for more hardwood flooring than 10% of the amount reserved in that month. In addition, he must not accept certified and rated orders for a quantity in excess of the reserve. Any hardwood flooring which the hardwood flooring manufacturer is not required to reserve and any hardwood flooring in the reserve for which certified and rated orders are not received during the month it is manufactured, may be delivered by hardwood flooring manufacturer only on uncertified and unrated (except AAA) orders.

(3) Hardwood flooring manufacturers receiving rated orders (except AAA) for hardwood flooring may not extend the ratings to a supplier to get hardwood flooring lumber.

#### HOUSING CONTRACTORS

(h) *Housing contractors.* The following provisions tell how a housing contractor may place with a sawmill, distributor or office wholesaler HH rated orders for housing construction lumber:

(1) A housing contractor who has an HH rating may apply the HH rating on orders for housing construction lumber to a distributor, or he may place HH rated orders for delivery each month starting with the month of June, 1946, with a sawmill or with an office wholesaler for housing construction lumber for an amount in footage not in excess of the total lumber required to meet his construction schedule for housing for which he has received priorities assistance under PR-33. Rated orders may be placed with a sawmill or with an office wholesaler for housing construction lumber only to the extent that other rated orders have not been placed with distributors for authorized amounts. The housing contractor must not specify delivery dates on rated orders more than 30 days before the time that the housing construction lumber is needed for incorporation into housing. Furthermore, the housing contractor must not place rated orders for housing construction lumber in which is specified a delivery date later than during the third calendar month after the time when the purchase order was placed.

(2) The housing contractor must use the housing construction lumber obtained on rated orders in the construction of housing for which the priorities assistance was authorized.

#### PREFABRICATORS

(i) *Prefabricators.* The following provisions tell how a prefabricator may place certified orders for housing construction lumber, millwork or hardwood flooring:

(1) A prefabricator may place certified orders for housing construction lumber with a sawmill, distributor or office wholesaler, for millwork with a millwork manufacturer, and for hardwood flooring with a hardwood flooring manufacturer, for an amount not in excess of the total amount of housing construction lumber, millwork or hardwood flooring required to meet a quarterly production schedule for prefabricated houses, panels or other sections for which he has received priorities assistance on Form CPA-4415. A prefabricator must not specify delivery dates (at plant or warehouse) on certified orders more than 30 days before the time the housing construction lumber, millwork or hardwood flooring is needed for incorporation into the prefabricated houses, panels or sections. Furthermore, a prefabricator must not place certified orders for housing construction lumber, millwork or hardwood flooring



in which is specified a delivery date later than during the third calendar month after the time when his purchase order is placed.

(2) A prefabricator must use the housing construction lumber, millwork or hardwood flooring obtained on certified orders for the purposes for which priorities assistance has been granted under Direction 8 to Priorities Regulation 33.

(3) A prefabricator may not apply or extend an HH rating for housing construction lumber, millwork or hardwood flooring.

#### INTEGRATED SAWMILLS

(j) Sawmills that are also prefabricators, millwork or hardwood flooring manufacturers. If a person engaged in operating a sawmill is also engaged in manufacturing prefabricated houses, panels or sections, millwork or hardwood flooring, he may transfer housing construction lumber or hardwood flooring lumber from his sawmill to his manufacturing operation provided he is permitted to place monthly certified orders for housing construction lumber, millwork or hardwood flooring lumber. The transfer from the sawmill must be treated as delivery on a certified order and he must keep records of the transfer in his sawmill files and endorse the appropriate certificate on his records.

A person making a transfer permitted in the above paragraph must use or dispose of the housing construction lumber, millwork or hardwood flooring lumber transferred to his manufacturing operation in conformity with the applicable paragraphs above.

#### NEWCOMERS

(k) Persons not established as distributors, millwork manufacturers or hardwood flooring manufacturers. (1) Any person who was not on January 1, 1942, a lumber distributor and wants permission to place monthly certified orders for an amount of housing construction lumber in excess of two carloads of housing construction lumber in any calendar quarter at the rate of not more than one carload in any month of the quarter, may apply by letter to the Civilian Production Administration.

(2) Any person who was not, in the year 1940 a millwork or hardwood flooring manufacturer, and wants permission to place monthly certified orders may apply by letter to the Civilian Production Administration.

(3) Any person applying by letter under subparagraph (1) or (2) above should state how much housing construction lumber or hardwood flooring lumber he needs each month, proximity of his place of business to similar businesses, and any other information to help the Civilian Production Administration decide what amount of housing construction lumber or hardwood flooring lumber is needed by him to engage in business. Such application will be processed in an equitable manner.

#### CERTIFICATION ON ORDERS

(1) *Certification on orders.* To certify an order for housing construction lumber or hardwood flooring lumber or millwork or hardwood flooring under this direction, the following certificate must be endorsed on or attached to the purchase order, sales ticket or other delivery orders. Certificates must be signed manually or as explained in Priorities Regulation 7. However, the standard form described in that regulation may not be used in place of certificate described in this direction. The certification required by this direction may not be waived under paragraph (f) or Priorities Regulation 7. The Serial Number must be inserted by persons holding authorizations on Form CPA-4386 or Form CPA-4415 in the place provided in the certificate. Orders placed verbally must be confirmed immediately and the confirmation must bear the appropriate certificate. The certificate must be substantially as follows:

The undersigned certifies to the supplier and to the Civilian Production Administration that he is a (distributor, millwork manufacturer, hardwood flooring manufacturer, prefabricator, office wholesaler) and that the quantities of housing construction lumber or hardwood flooring lumber or millwork or hardwood flooring covered by this order (together with all other certified orders for the particular material for delivery in the month specified in this order) do not exceed the amount permitted under Direction 1 to Priorities Regulation 33 with the provisions of which he is familiar.

Date.....  
Serial Number.....

#### MISCELLANEOUS

(m) The following provisions generally affecting sawmills, distributors, millwork manufacturers, hardwood flooring manufacturers, prefabricators, housing contractors, and office wholesalers, should be carefully read:

(1) *Status of certified orders.* Certified orders for the purpose of this direction shall be subject to the rules for acceptance and rejection of rated orders as provided in Priorities Regulation 1 except as modified in this direction. The order of precedence is (subject to any provision limiting the quantity of orders that need be accepted) as follows:

(i) At-sawmill; (ii) AAA; (iii) MM; (iii) certified; (iv) CC and MH;

(ii) At a supplier other than a sawmill; (i) AAA; (ii) MM; (iii) CC, MH and certified orders which are of equal value.

(2) *Applicability of regulations.* Except as otherwise required by this direction, Priorities Regulations 1 and 3 continue to govern the use of ratings and the acceptance, scheduling and filling of orders placed with distributors and sawmills. All other applicable regulations and orders of the Civilian Production Administration must be observed where not inconsistent with this direction.

(3) *Extension of preference ratings.* For the purpose of this direction the extendibility of ratings (except AAA) is governed by paragraphs (d), (e), (f), (g) and (h) which rules supersede paragraphs (d) and (d-1) of Priorities Regulation 3.

(4) *Violations.* Any person who willfully violates any provision of this direction or who, in connection with this direction, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Reports.* Every person shall file with the Civilian Production Administration, or any other federal agency, through which the Civilian Production Administration may distribute housing construction lumber, such reports and questionnaires as the Civilian Production Administration or such other agency may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(6) *Directives.* The term "directive" as used in this direction means written instructions to a specific person regarding the manufacture, delivery, or use of lumber, millwork or hardwood flooring. The Civilian Production Administration may issue directives requiring sawmills, millwork manufacturers or hardwood flooring manufacturers or distributors to set aside specific quantities or percentages of production or shipments for persons placing certified or rated orders. It may also allocate production or shipments to specified persons for specified uses, and may direct how and in what quantities deliveries to specified persons or uses may be made. It may also direct distribution to

particular areas and may direct or prohibit the production by any person of particular items of lumber, millwork or hardwood flooring. Directives supersede any preference ratings (except AAA) or certifications assigned to particular purchase orders or contracts. They may be issued for the satisfaction of Veterans' Emergency Housing Program and essential civilian requirements, and in order to carry out more fully the purposes of this direction.

(7) *Appeals.* Any appeal from the provisions of this direction should be made by mailing a letter in triplicate to the Civilian Production Administration, Forest Products Division, Washington 25, D. C., Ref.: Direction 1 to Priorities Regulation 33, stating the particular provision appealed from and stating fully the grounds for the appeal.

(8) *Communications.* All communications unless otherwise directed must be addressed as follows: Civilian Production Administration, Forest Products Division, Washington 25, D. C.

Issued this 6th day of June 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 46-9585; Filed, June 6, 1946;  
11:13 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-613, Revocation]

BARRY AND ZETZEL SHOE CO.

Suspension Order No. S-613 was issued September 2, 1944, against Maurice Barry and Samuel Zetzel, doing business as Barry & Zetzel Shoe Company, 11 Liberty Square, Lynn, Massachusetts, for violation of Conservation Order M-217. In view of the fact that Conservation Order M-217 has been suspended, the Chief Compliance Commissioner has directed that Suspension Order No. S-613 be revoked forthwith.

In view of the foregoing: It is hereby ordered, That: § 1010.613, Suspension Order No. S-613 be revoked, effective June 5, 1946.

Issued this 5th day of June 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 46-9565; Filed, June 5, 1946;  
4:46 p. m.]

#### Chapter XI—Office of Price Administration

##### PART 1305—ADMINISTRATION

[SO 108,<sup>1</sup> Special Order 15]

#### SUSPENSION FROM SUPPLEMENTARY ORDER 108 OF CERTAIN FUR TRIMMED CLOTH COATS

An opinion accompanying this Special Order No. 15 under section 17 of Supplementary Order 108 has been issued simultaneously herewith and filed with the Division of the Federal Register.

SECTION 1. *Purpose of this order.* This order permits you, in the second quarter of 1946 and all subsequent quarters, to

<sup>1</sup> 10 F. R. 4336<sup>7</sup>, 5995, 6402, 8368, 10200, 12080, 12984, 13129, 15125, 11 F. R. 604.



exclude for all purposes under supplementary Order 108 deliveries of the fur trimmed coats described in section 2 of this order. It does not exempt those coats from price control and in pricing these coats you must continue to comply with the pricing provisions of Revised Maximum Price Regulation 287.

**SEC. 2. Fur trimmed coats covered by this order.** Deliveries of women's, misses' and juniors' wool coats may be excluded under this order if they satisfy all of the following requirements:

(1) They must be trimmed with ranch raised silver fox, mink, or chinchilla.

(2) The gross selling price of the coat (properly established under RMPR 287) must be \$79.50 or more.

(3) Sales of the coat at retail must be subject to the Federal Retailers' Excise Tax as an article of which fur is the component material of chief value.

**SEC. 3. Exclusion of coats described in section 2 of this order.** You may, for all purposes under Supplementary Order 108 in the second quarter of 1946 and all subsequent quarters, exclude all deliveries made by you of women's, misses' and juniors' coats (category A-1, Group I, Appendix A) satisfying the requirements of section 2 of this order: Provided, that you

file with your OPA district office the report of election and the supplementary information required by section 4 below.

**SEC. 4. Report of election and supplementary information.** If you elect to exclude deliveries of the coats described in section 2 you must within twenty days after the end of each quarter, file with your OPA District Office two copies (signed by an officer, owner or principal) of a "Report of Election Under Special Order 15" containing the following information for that quarter:

(a) Your business name and address.

(b) The calendar quarter covered.

(c) A statement containing a list by style or lot number of all the fur trimmed coats excluded by you and showing for each style or lot number.

(i) The number of coats excluded.

(ii) The gross selling price.

(iii) The type of fur trimming used.

(iv) The cost to you per coat of each item of material and trim used (including fur) as shown in your MPR 287 cost record.

**SEC. 5. Example of report of election under this special order.** The following is a sample report of election under this special order. This form may be duplicated but will not be furnished by OPA.

#### REPORT OF ELECTION UNDER SPECIAL ORDER 15

ABC Manufacturing Company, 123 Main Street, Dover, N. Y. We have excluded deliveries of the following fur trimmed coats in the quarter of 19—

Style or Lot No.	Number in each style excluded	Gross selling price	Type of fur trimming used	Cost per coat of each item of material and trim used (including fur)
1122	75	\$159.75	Ranch raised mink	Wool..... \$12.00 Mink trimming..... 90.00 Lining..... 3.00 Buttons..... .75 Percale..... .30 Interline..... 3.50
1080	100	\$110.55	Ranch raised silver fox	Wool..... 12.00 Silver fox..... 50.00 Lining..... 3.00 Buttons..... .75 Interline..... 3.50

**SEC. 6. Records.** If you exclude deliveries of the fur trimmed coats described in section 2, you must keep the following records available for examination by the OPA for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(a) A copy of each report of election which you file under this special order.

(b) A statement from your supplier on each purchase invoice for ranch raised silver fox, mink or chinchilla dated on or after stating that the fur is ranch raised.

This special order shall be effective June 11, 1946.

**NOTE:** All record keeping and reporting requirements of this special order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9617; Filed, June 6, 1946;  
11:41 a. m.]

No. 111—2

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 60 (§ 1351.151)]

##### FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 9.2 (f) of MPR 53 is amended to read as follows:

(f) *Castor Oil or castor beans to be imported into the continental United States.* (1) Except as hereinafter provided no person in the course of trade or business shall import (buy, receive, or in any manner pay for and bring in, deliver or cause to be brought into the continental United States) castor beans or castor oil at prices higher than the following:

(i) \$118.00 per long ton (2240 pounds) of castor beans c. i. f. first United States point or port of arrival, Atlantic or Gulf coasts.

(ii) \$120.18 per long ton (2240 pounds) of castor beans, c. i. f. first United States point or port of arrival, Pacific Coast.

(iii) 11.15 cents per pound c. i. f. first United States point or port of arrival for No. 1 castor oil.

(iv) 10.85 cents per pound c. i. f. first United States point or port of arrival for No. 3 castor oil.

(2) The word "person" as used in this section 9.2 (f) means the first consignee of the imported castor beans or castor oil in the continental United States.

(3) The above prices include foreign export duties of taxes, freight to the point or port of arrival within the United States, brokerage, marine insurance and all other charges except applicable United States duties.

These maximum importing prices do not apply to castor beans or castor oil on the high seas en route to the United States on February 13, 1946.

Contracts for castor oil and castor beans entered into prior to February 13, 1946, under which the importing price is higher than the price established by this section 9.2 (f) may be carried out at the contract price where such contract or contracts are accompanied by an unexpired irrevocable letter or letters of credit having a definite expiration date and where such letter or letters of credit were issued prior to February 13, 1946. Such contracts may be carried out until the expiration date of such letter or letters of credit and any such contract may be extended after its expiration date if complete shipment has not been received pursuant to it.

Where a contract is excepted by this subsection the importer shall file a copy of said contract and the accompanying letter or letters of credit with the Fats and Oils Section, Food Price Division, Washington, D. C., within two weeks of June 11, 1946.

After the importer has received the final shipment called for in such excepted contract, he shall report such receipt to the Fats and Oils Section, Food Price Division, Washington, D. C., within two weeks of the receipt of the final shipment, stating that the total amount received did not exceed the quantity specified in such excepted contract.

Every person importing castor beans or oil into the continental United States after June 11, 1946, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each importation including the date of the contract, the name of the foreign supplier, the price paid and the grade, quality and amount purchased.

**NOTE:** The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

This amendment shall become effective June 11, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9591; Filed, June 6, 1946;  
11:49 a. m.]



## PART 1356—COOKERS AND HEATERS

[MPR 64, Amdt. 7]

## DOMESTIC COOKING AND HEATING STOVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 64 is amended in the following respects:

1. Section 2 is amended to read as follows:

**SEC. 2. Persons and transactions covered.** (a) This regulation covers all sales of domestic cooking and heating stoves by a manufacturer to any person. As used in this regulation, a "manufacturer" of a particular stove is (1) a person who operates a factory in which the stove is assembled or manufactured, or (2) a person who regularly sells the stove under a private brand to distributors or jobbers or wholesalers.

Under the circumstances set forth in section 11 of this regulation, an order under this regulation may establish maximum prices for sales of stoves by wholesalers and retailers. Ceiling prices for sales by persons other than manufacturers are governed by the General Maximum Price Regulation or Maximum Price Regulation No. 210 as modified by the provisions of this regulation and orders issued under it.

(b) The word "person" includes an individual, corporation or any other organized group, their legal successors or representatives, the United States or any Government or any of their political subdivisions.

2. Section 7 (a) (1) is amended to read as follows:

(1) Find the model of stove for which you have a ceiling price which is comparable to the stove being priced. The "comparable" model is the one which is like the stove being priced in design, construction, process of manufacture and fuel type, and which is closest to it in unit direct cost. If a stove on which "minor changes" have been made is subsequently used as the "comparable" model the cost for the "comparable" model shall be computed on the basis of the cost to make the stove without the "minor changes". If the changes in the new model include minor changes, the cost of the new model shall be computed on the basis of the cost to make it without the minor changes.

3. Section 8b is amended to read as follows:

**SEC. 8b. Manufacturers' reconversion increases of certain ceiling prices.**—(a) *Stoves other than electric ranges.* This paragraph authorizes certain reconversion adjustments of ceiling prices by manufacturers of stoves other than electric ranges. As used in this regulation the term "electric ranges" includes electric combination ranges. An electric combination range is one which consists of an electric range with three or more top burners or two or more top burners and an oven or broiler burner, in combination with another unit which uses

a fuel other than electricity. Combination stoves which include less than three electric top burners, or less than two top burners and an oven or broiler burner are not electric combination ranges. Unless directed otherwise by an order issued under this section by the Office of Price Administration every manufacturer of stoves other than electric ranges may adjust his ceiling prices for his sales of such stoves to persons other than ultimate consumers which have been established under sections 3, 4, 5, 7, or 8 of the regulation, by adding to that price an amount equal to five percent of that price.

The five percent adjustment charge permitted by this section is hereby designated as the "OPA industry reconversion increase".

(b) *Electric ranges.* This paragraph authorizes a reconversion adjustment of ceiling prices by manufacturers of electric ranges. Unless directed otherwise by an order issued by the Office of Price Administration under this section, every manufacturer of electric ranges covered by this regulation may adjust his f. o. b. factory ceiling prices (exclusive of the Federal excise tax) for sales to persons other than ultimate consumers established under sections 3, 4, 5, 7, or 8 of the regulation by adding to that price an amount equal to eleven percent of that price. The increase granted by this paragraph is hereby designated as the "OPA industry electric range reconversion increase".

(c) *"Additional OPA industry reconversion increase" of manufacturers' ceiling prices.* This paragraph authorizes an "additional OPA industry increase" by manufacturers of their ceiling prices for stoves other than electric ranges. Unless directed otherwise by an order issued under this regulation by the Office of Price Administration, every manufacturer of any stoves covered by this regulation other than electric ranges may further adjust any ceiling price for his sales which has been adjusted under section 8b (a) of this regulation by adding to that price an amount equal to 7.6 percent of that price. The increase granted by this paragraph is hereby designated as the "additional OPA industry reconversion increase". Thus the total increase granted under this section 8b to manufacturers of stoves other than electric ranges over their ceiling prices established under sections 3, 4, 5, 7, or 8 is 13 percent.

(d) *Denial of the industry reconversion increase by order.* Orders will be issued under this section denying a manufacturer permission to adjust his ceiling prices by all or part of the increases granted under this section when it appears to the Price Administrator on the basis of the manufacturer's production reports as filed under Supplementary Order No. 146 and other information available to the Office of Price Administration, that the manufacturer has discontinued production of his low-end model of any type of stove which he produces or has decreased the proportion of low priced to high priced models of each type of stove which he manufactures so that his present production is not representative of his production in

that respect of those stoves during the year July 1, 1940 through June 30, 1941. The average price at which the manufacturer's production of each type of stove will be sold will be considered in determining how much, if any, of the increase will be granted to such a manufacturer.

(e) *Notification.* At the time of or prior to the first invoice to each purchaser for resale of a stove sold on or after June 7, 1946 at a price which includes any part of the adjustments granted by this section the manufacturer shall notify the purchaser in writing that the price the manufacturer is charging includes an adjustment under section 8b and that the purchaser for resale must find his ceiling prices under section 11a if he is a wholesaler, or under section 11b if he is a retailer. If the stove is an electric range the manufacturer must also notify each wholesale distributor of the retail ceiling prices which he has determined for the range under the provisions of sections 11b or 11e of this regulation.

4. Section 9 is amended to read as follows:

**SEC. 9. Sales to the United States and Allied Governments.**—(a) *Sales to the United States and Allied Governments of stoves for which the manufacturer has established ceiling prices.* The ceiling price for sales by a manufacturer to any agency of the United States Government or of any Allied Government of any stove covered by this regulation shall be the manufacturer's lowest ceiling price for sales of the stove f. o. b. factory to a wholesale distributor, or if he has no ceiling price for sales to a wholesale distributor, his lowest ceiling price for sales f. o. b. factory to any reseller. The ceiling prices so determined may be increased by the manufacturer's customary charge for service if the agency purchasing the stove requires the seller to service it for a period of one or more years.

(b) *Ceiling prices requiring prior approval under this regulation.* A manufacturer may sell and deliver and tentatively collect a price for any stove which he sells directly to any agency of the United States Government or of any Allied Government without prior approval of the Office of Price Administration when such prior approval would otherwise be required under the applicable pricing method. The manufacturer must, however, inform the buyer that the ceiling price is still to be established under this regulation and must refund any amount he collected which is in excess of the ceiling price approved for the sale by the Office of Price Administration. Within ten days after the manufacturer has entered into a contract for such a sale, he must file a report or an application as provided in section 7 or 8.

5. Section 11a is amended to read as follows:

**SEC. 11a. Reconversion adjustments of wholesale ceiling prices.**—(a) *Stoves other than electric ranges.* A wholesale distributor shall determine his adjusted ceiling prices for his sales of any stove other than an electric range which the



manufacturer sells to him at a price which includes any part of the increases permitted by sections 8b (a) and 8b (c) as follows:

(1) If his ceiling price for the same stove was established or determined before June 7, 1946 under the General Maximum Price Regulation, Maximum Price Regulation No. 210 or an order under section 11 of this regulation, or if his ceiling price is determined under section 1499.2 of the General Maximum Price Regulation on or after June 7, 1946 he shall redetermine that ceiling price by subtracting from the ceiling price so established or determined the amounts included therein on account of the "OPA industry reconversion increase" and the Federal excise tax, increasing the result by 9.0 percent, and adding thereto the dollar-and-cent amount of any Federal excise tax paid by the manufacturer on the stove.

(2) If he establishes his ceiling price on or after June 7, 1946 under a provision which requires him to compute his ceiling prices on the basis of cost, he shall use as his cost for that purpose his supplier's ceiling price not including the "OPA industry reconversion increase" of 5 percent or the "additional OPA industry reconversion increase" of 7.6 percent allowed the manufacturer by sections 8b (a) and 8b (c) of this regulation or any amount included therein on account of the Federal excise tax. To the ceiling price so computed he may add an amount equal to 9.0 percent of that price and the exact amount of any Federal excise tax paid on the stove by the manufacturer.

(3) If his ceiling prices are established on or after June 7, 1946 by an order under section 11 of this regulation or under § 1499.3 (e) of the General Maximum Price Regulation or by an approval under § 1499.3 (c) of the same regulation, and the order or approval does not specifically authorize the addition of an adjustment under this section to the wholesale distributor's ceiling prices, his ceiling prices under this section are those established by the order or approval.

(4) If his ceiling prices are established on or after June 7, 1946 under § 1372.103 of Maximum Price Regulation No. 210, his ceiling prices under this section are those he established under § 1372.103 of Maximum Price Regulation No. 210.

(b) *Electric ranges.* A wholesale distributor's ceiling prices for sales of a particular model of electric range to a particular class of purchaser is that established by an order issued under section 11 of this regulation after June 6, 1946. A wholesale distributor of electric ranges who has ceiling prices established for his sales of a particular range by an order under section 11 of this regulation issued before June 7, 1946, shall determine his adjusted ceiling prices for his sales of any such electric range which the manufacturer sells to him at a price which includes any part of the adjustment permitted by section 8b (b) in accordance with the first applicable rule of the following contained in this section:

*Rule 1.* A wholesale distributor's ceiling price for sales in each zone of each model to retail dealers who provide consumers purchasing from them with delivery, installation

and the servicing necessary to comply with the first year warranty shall be the price which will yield the wholesale distributor the same percentage of the total dollar margin between the manufacturer's ceiling price to him (including the Federal excise tax) and the dealer's ceiling price (including the Federal excise tax) for resales to ultimate consumers in that zone as he received during the period May 7, 1946 to June 6, 1946 in connection with the sale of the most "comparable" model sold by him to the same class of purchaser. To be "comparable" a model must be one produced by the same manufacturer. A wholesale distributor determining his ceiling prices under this rule shall calculate his ceiling prices for sales to other classes of purchasers on the basis of the differentials which he had on sales of the comparable model to different classes of purchasers.

*Example:* A distributor who sold Model X produced and sold by manufacturer Y during the period May 7, 1946 to June 6, 1946 to servicing dealers at a dollar-and-cent ceiling price established by an order under Maximum Price Regulation No. 64 computes his ceiling prices for resales of the Model X electric range as follows:

Retail ceiling price in the distributor's zone including the Federal excise tax	\$210.00
Retail ceiling price in distributor's zone, exclusive of Federal excise tax	200.00
Manufacturer's ceiling price, f. o. b. factory to distributors on April 30, 1946, exclusive of the Federal excise tax	100.00
Gross dollar margin	100.00
Distributor's ceiling price exclusive of the Federal excise tax to servicing dealers on May 15, 1946	125.00
Amount of total dollar margin received by the distributor	25.00
Percent of gross margin	25%
Manufacturer's ceiling price to distributors adjusted under section 8b (b)	111.00
Retail ceiling price under section 11b exclusive Federal excise tax	204.00
Gross dollar margin	93.00
Portion taken by distributor (25% of \$90.00)	23.25
Distributor's new ceiling price exclusive of the Federal excise tax to servicing dealers	134.25
Distributor's new ceiling price to servicing dealers including the Federal excise tax	145.35

Distributor may determine his ceiling price for sales to other classes of dealers by adding his customary differentials for such sales.

*NOTE:* To assist the wholesale distributor in making this computation, a manufacturer who sells electric ranges at prices which include the "OPA industry electric range reconversion increase" is required to notify the wholesale distributor at the time of, or prior to the first invoice covering such sales, of the retail ceiling prices which he has determined for those ranges under the provisions of sections 11b or 11c of this regulation.

*Rule 2.* If a wholesale distributor cannot determine his ceiling price for sales of a particular model of electric range to a particular class of purchaser under Rule 1, his ceiling price for that sale is the ceiling price established under this paragraph for the same sale by the "closest seller of the same class." A wholesale distributor's "closest seller of the same class" is a distributor who (a) has established a ceiling price for sales of the identical model of electric range to the same class of purchaser, and (b) is the same general type of seller, and (c) is located in the same zone and is nearer to the seller than any other seller who meets requirements (a) and (b) of this rule.

*Rule 3.* If the wholesale distributor cannot otherwise find his ceiling price for a

particular sale, his ceiling price for that sale is the price established by the Office of Price Administration in an order under this section. An application under this rule shall state the name of the manufacturer of the electric range being priced, its model designation, the classes of purchaser to whom the applicant proposes to sell the range, the ceiling prices he proposes for such sale, and a statement of the reasons he cannot use the other rules in this section.

(c) *Notification.* At the time of, or prior to the first invoice to each purchaser for resale of a stove sold on or after June 7, 1946 at a price determined in accordance with this section 11a, each wholesale distributor shall notify the purchaser in writing that each purchaser for resale at retail must find his resale ceiling prices under section 11b of this regulation. This notice may be given in any convenient form.

5. Section 11b is amended to read as follows:

*Sec. 11b. Retail ceiling prices of stoves subject to an industry reconversion increase—(a) Stoves not subject to the Federal excise tax.* A retailer shall determine his ceiling prices for his sales of any stove covered by this regulation which is not subject to the Federal excise tax when sold by the manufacturer and which he purchases at prices which include an adjustment under section 8b or 11a of this regulation, as follows:

(1) He shall increase by 3.0 percent and then round to the nearest 25 cents those of his ceiling prices established before June 7, 1946, under the General Maximum Price Regulation, or Maximum Price Regulation No. 210, or a central pricing order issued under § 1499.4a of the General Maximum Price Regulation or Supplementary Order No. 13 as amended or revised, or under section 11 of this regulation.

(2) He shall increase by 3.0 percent and then round to the nearest 25 cents those of his ceiling prices established after June 6, 1946, under § 1499.2 of the General Maximum Price Regulation.

(3) A seller who establishes his ceiling prices on or after June 7, 1946, under a provision which requires him to compute his ceiling price on the basis of cost, shall use as his cost for that purpose his supplier's ceiling price to him exclusive of any adjustment taken by his supplier under section 8b or section 11a. He shall compute his ceiling price under this section by adding to the price determined upon the cost basis defined above an amount equal to 3.0 percent of that price and rounding the result to the nearest 25 cents.

(4) If his ceiling prices are established on or after June 7, 1946, by an order under section 11 of this regulation or under § 1499.3 (e) of the General Maximum Price Regulation or by an approval under § 1499.3 (c) of the same regulation and the order or approval does not provide that the retail ceiling prices shown therein may be adjusted under this section, the retailer's ceiling prices under this section are those established by the order or approval.

(b) *Stoves subject to the Federal excise tax other than electric ranges.* Included among stoves covered by this regulation and subject to a Federal ex-



cise tax assessed on the sale by the manufacturer are gas ranges including gas combination and gas bungalow ranges, oil ranges including oil combination and bungalow ranges, oil cooking stoves, and gas hot plates and gas laundry stoves. A retailer shall determine his ceiling prices for stoves subject to the Federal excise tax (other than electric ranges) which he purchases at prices which include an adjustment under section 8b or 11a of this regulation as follows:

(1) If the retail ceiling price is a uniform dollar-and-cent price set by an order issued under section 11 of this regulation before June 7, 1946 which includes the Federal excise tax he shall increase that price by 3.7 percent and round the result to the nearest 25 cents. The result is his new ceiling price inclusive of the Federal excise tax.

(2) If the retail ceiling price has been established before June 7, 1946 under the General Maximum Price Regulation, or Maximum Price Regulation No. 210, or a central pricing order issued under § 1499.4a of the General Maximum Price Regulation or Supplementary Order No. 13 as amended or revised and he passed on to his customers the Federal excise tax paid by the manufacturer he shall compute his new ceiling price by increasing the ceiling price for the stove established by him before June 7, 1946 by 3.7 percent of that price and rounding the result to the nearest 25 cents.

(3) He shall increase by 3.7 percent ceiling prices which he establishes after June 6, 1946, under § 1499.2 of the General Maximum Price Regulation.

(4) A retailer who establishes his ceiling price on or after June 7, 1946 under a provision which requires him to compute his ceiling prices on the basis of cost shall use as his cost for that purpose his supplier's ceiling price exclusive of any adjustment under section 8b or 11a. He shall compute his ceiling price under this section by adding to the price determined upon the cost basis defined above an amount equal to 3.7 percent of that price, and rounding the result to the nearest 25 cents.

(5) If his ceiling prices are established on or after June 7, 1946, by an order under section 11 of this regulation or under § 1499.3 (e) of the General Maximum Price Regulation or by an approval under § 1499.3 (c) of the same regulation and the order or approval does not provide that the retail ceiling prices shown therein may be adjusted under this section, the retailer's ceiling prices under this section are those established by the order or approval.

(6) If his ceiling prices are established on or after June 7, 1946 under § 1372.103 of Maximum Price Regulation No. 210, the retail ceiling prices under this section are those established under § 1372.103 of Maximum Price Regulation No. 210.

(c) *Electric ranges.* Notwithstanding the provisions of any order issued under section 11 of this regulation before June 7, 1946, ceiling prices for any electric range sold by the manufacturer at prices adjusted in accordance with section 8b

of this regulation are the prices properly calculated by the manufacturer in accordance with this paragraph. Every manufacturer of electric ranges who has had retail ceiling prices established for his ranges by an order issued under section 11 of this regulation before June 7, 1946, is required to recalculate those retail ceiling prices under the first applicable rule of the following:

*Rule 4.* If the retail ceiling price for sales of a particular model in Zone 1 (exclusive of the Federal excise tax and any amounts included therein on account of freight) is 187% or less of the product of 1.07 and the manufacturer's lowest f. o. b. factory ceiling price (exclusive of the Federal excise tax) established under sections 3, 4, 5, 7, or 8 of this regulation for sales of that model to wholesale distributors, the retail ceiling price for sales of that model to consumers in Zone 1 is the total rounded to the nearest 25 cents, of the following:

(1) The retail ceiling price previously established by the order under section 11 diminished by the amount of the Federal excise tax included therein, and

(2) An amount equal to 4.0 percent of the manufacturer's lowest f. o. b. factory ceiling price (exclusive of the Federal excise tax) established under sections 3, 4, 5, 7, or 8 of this regulation for sales of the same model to wholesale distributors, and

(3) The Federal excise tax applicable to his lowest f. o. b. factory ceiling price to wholesale distributors.

Retail ceiling prices for sales of the same model to consumers in zones other than Zone 1 shall be determined by adding to the Zone 1 retail ceiling price determined under this rule the dollar-and-cent amount of the previously established differential between retail ceiling prices in Zone 1 and in each of the other zones in effect on the same model.

*Rule 5.* If the retail ceiling price for sales of a particular model in Zone 1 (exclusive of the Federal excise tax and any amount included therein on account of freight) is more than 187% of the product of 1.07 and the manufacturer's lowest f. o. b. factory ceiling price (exclusive of the Federal excise tax) established under sections 3, 4, 5, 7, or 8 of this regulation for sales of that model to wholesale distributors, the retail ceiling price for sales of the model in Zone 1 shall be the higher of the following amounts:

(1) The total rounded to the nearest 25 cents, of the ceiling price in effect before June 7, 1946, and the dollar-and-cent amount of the increase in the Federal excise tax resulting from the increase in the manufacturer's price under section 8b (b), or

(2) The total rounded to the nearest 25 cents, of the following:

(i) 187 percent of the product of 1.07 and the manufacturer's lowest f. o. b. factory ceiling price (exclusive of the Federal excise tax) established under sections 3, 4, 5, 7, or 8 of this regulation for sales of the same model to wholesale distributors, and

(ii) An amount equal to 4.0 percent of the manufacturer's lowest f. o. b. factory ceiling price (exclusive of the Federal excise tax) established under sections 3, 4, 5, 7, or 8 of this regulation for sales of the same model to wholesale distributors, and

(iii) The Federal excise tax applicable to his lowest f. o. b. factory ceiling price to wholesale distributors, and

(iv) The amount included on account of freight in the Zone 1 retail price previously established by the order under section 11 of this regulation.

Retail ceiling prices for sales of the same model to consumers in zones other than Zone 1 shall be determined by adding to the Zone 1 retail ceiling price determined under this rule the dollar-and-cent amount of the pre-

viously established differential between the retail prices in Zone 1 and in each of the other zones in effect on the same model.

*Rule 6.* If a manufacturer cannot determine retail ceiling prices for sales of a particular model of electric range under the preceding rules of this section, he may apply under this rule for the establishment of retail ceiling prices for that particular model. Orders will be issued under section 11 of this regulation establishing retail ceiling prices for such ranges in line with the level of ceiling prices established under this regulation. An application under this rule shall state the name of the manufacturer, the model designation of the range being priced, and a statement of the reason why the applicant cannot determine retail ceiling prices for the range under the other rules of this paragraph.

7. Section 11c is amended to read as follows:

**SEC. 11c. Sales invoices to purchasers for resale.** Any person making a sale to purchasers for resale of any articles covered by this regulation must furnish purchasers for resale with an invoice containing the following:

(a) His name and address and the date of the invoice.

(b) The purchaser's name and address.

(c) The model designation of the articles and such other description as may be necessary to identify the article on his pricing records.

(d) His OPA ceiling price.

8. A new section 11d is added to read as follows:

**SEC. 11d. Labelling.** Unless an order under this regulation provides otherwise:

(a) On and after June 17, 1946, a manufacturer may not sell or ship any gas range, gas combination range, gas bungalow range, or electric range to a wholesale distributor or retailer other than a mail order house unless there is securely attached to the inside or outside panel of the oven door of the stove in a place where it can be plainly seen a label which is headed "OPA Retail Ceiling Price Label" which plainly states the OPA retail ceiling prices established for sales of the range in each zone a statement of the area contained in each zone, the manufacturer's name or the brand name of the range, its model designation, a statement of what the retail ceiling prices include, and a statement that the "OPA Retail Ceiling Price Label" may not be removed until after the range is sold and delivered to a consumer. This "OPA Retail Ceiling Price Label" may not be removed until after the range has been sold and delivered to the consumer.

(b) On or after July 7, 1946, no person other than a seller on a mail order basis may display, offer for sale, sell or deliver to a consumer any electric range, gas range, gas combination range or gas bungalow range unless ceiling prices have been established for resales of the range under this regulation and there is attached to the range in the place designated in paragraph (a) above a label which is provided by the manufacturer or the particular person specified in an order fixing resellers' ceiling prices and which contains all the information required by paragraph (a) of this section.



(c) The retail ceiling prices which appear on the label attached to an electric range, gas range, gas combination range or gas bungalow range which the manufacturer has sold at a price adjusted under section 8b of this regulation shall be the retail ceiling prices determined in accordance with section 11b or 11e of this regulation.

9. A new section 11e is added to read as follows:

SEC. 11e. *Establishment of retail ceiling prices for certain new model gas and electric ranges*—(a) *Formula method*. If no retail ceiling prices have been established before June 7, 1946 for sales of any stove of a type for which dollar-and-cent retail ceiling prices have been established under section 11 of this regulation (This includes but is not limited to electric ranges, gas ranges, gas combination ranges and gas bungalow ranges), and the manufacturer has determined his f. o. b. factory ceiling prices for sales of the stove to purchasers for resale under section 3 or 7 and adjusted them under section 8b, the retail ceiling prices of the stove are the prices determined by the manufacturer according to the following formula:

(1) He shall find the model of stove in his line for which he has a zone 1 retail ceiling price based upon an order issued under this regulation and which is "comparable" to the stove being priced. The "comparable" model is the one which is most like the stove being priced in design, construction, manufacturing process, operation, weight, and fuel type and which has an f. o. b. factory ceiling price to the class of purchaser who buy from the manufacturer in the greatest volume which is closest to that determined for sales of the stove being priced to the same class of purchaser.

(2) He shall find his mark-up factor by dividing the retail ceiling price in Zone 1 of the comparable model (exclusive of the Federal excise tax and any amounts included therein on account of freight, delivery and installation) by its f. o. b. factory ceiling price to the class of purchaser who buy from him in the greatest volume.

(3) He shall apply that percentage mark-up to the f. o. b. factory ceiling price (exclusive of the Federal excise tax) of the stove being priced to that class of purchasers to whom he sells in the greatest volume. The result increased by the Federal excise tax applicable to his f. o. b. factory ceiling price for his sales to the class of reseller to whom he sells at his lowest ceiling price and the amount included in the retail ceiling price of the "comparable" model on account of freight, delivery, and installation and rounded to the nearest 25 cents is the retail ceiling price in Zone 1 of the stove being priced.

He shall then determine the retail ceiling prices of the stove being priced in zones other than Zone 1 by adding to the Zone 1 retail ceiling price determined in accordance with this section the dollar-and-cent amount of the differential in effect on the "comparable" model between its retail ceiling prices in Zone 1 and in each of the other zones.

(b) *Retail ceiling prices established by order*. A manufacturer who cannot determine retail ceiling prices under paragraph (a) of this section for sales of a particular model of electric range, gas range, gas combination range, gas bungalow range or any other stove of a type for which dollar-and-cent retail ceiling prices have been established under section 11 of this regulation for which he first establishes his ceiling prices after June 6, 1946, shall apply under this paragraph for the establishment of retail ceiling prices for that particular model. Orders will be issued under section 11 of this regulation establishing retail ceiling prices for such stoves in line with the level of ceiling prices previously established for similar stoves under the applicable regulations. An application under this paragraph shall state the name of the manufacturer, the model designation of the stove being priced, and a statement of the reason why the applicant cannot determine retail ceiling prices for the stove under paragraph (a) of this section.

8. A new section 11f is added to read as follows:

SEC. 11f. *Zones*. For purposes of this regulation the zones referred to in sections 11a, 11b, 11d, and 11e are those defined for the manufacturer in individual resale ceiling price orders issued under this regulation or under Supplementary Orders No. 119 or 133. Where a single national retail ceiling price has been fixed for a particular stove, the manufacturer shall treat the retail ceiling price for each stove as his Zone 1 price for that stove.

9. Section 12 is amended to read as follows:

SEC. 12. *Modification of provisions of this regulation*. The provisions of this regulation as applied to classes of commodities or persons subject thereto may be modified by orders of general application issued under this section.

10. A new section 12a is added to read as follows:

SEC. 12a. *Modifications of zoning practices and terms and conditions of sales*. A manufacturer who desires to change any of his terms, discounts, allowances, price differentials, conditions of sale or zoning practices in effect during the period January 15 to June 1, 1941 or thereafter properly established under the applicable regulation, shall apply to the Office of Price Administration, Washington, D. C., setting forth in detail the proposed changes and the reasons therefor. The Price Administrator may grant permission to the manufacturer to make the proposed changes when, in his opinion, the manufacturer has demonstrated that the general level of his ceiling prices to each class of purchaser will not be raised thereby, and that the granting of such permission will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Orders will be issued under this section changing a manufacturer's terms, discounts, allowances, price differentials or conditions of sale or his zoning practices and prices and, where it is necessary, those of his

wholesalers and retailers accordingly. No manufacturer may, prior to the issuance of an order by the Office of Price Administration authorizing such a change, change his established terms, discounts, allowances, price differentials, or conditions of sale. Nothing in this section shall be construed as forbidding a manufacturer from selling below his established ceiling prices.

11. A new section 12b is added to read as follows:

SEC. 12b. (a) *Credit charges and terms of sale*. (1) Any person selling at retail articles covered by this regulation for which dollar-and-cent retail ceiling prices have been established based upon an order under this regulation or under Supplementary Orders No. 119 or No. 133 who, during March 1942, collected a separately stated additional charge for the extension of credit on sales of such articles, may collect a charge for the extension of credit under this regulation, not exceeding such charge during March, 1942 on a similar sale on similar terms to the same class of purchaser. Retailers who did not so state and collect an additional charge, may collect a charge for the extension of credit only on installment plan sales; and the charge shall not exceed the separately stated additional charge for the extension of credit on a similar sale on similar terms to the same class of purchaser during March 1942, by the retailer's closest competitor who made a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (1) six weeks or more from the date of sale in the case of weekly installments, or (ii) eight weeks or more in the case of other than weekly installments.

(2) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this subsection, shall, for the purposes of this regulation, be considered to be part of the price charged for the stove sold.

(3) No retailer may require as a condition of sale that the consumer must buy on credit.

(b) *Terms of sale*. Unless this regulation or an order issued under it provides otherwise every resale ceiling price established by or under this regulation is subject to terms, discounts, allowances and other price differentials, no less favorable than those the reseller had in effect for similar sales during March 1942. If the reseller made no such sales during March 1942, his ceiling prices are subject to the terms, discounts, allowances, and other price differentials, no less favorable than those of his closest competitive seller of the same class during the same period on sales of similar articles of which were thereafter properly established under applicable OPA regulations.

12. A new section 12c is added to read as follows:

SEC. 12c. *Reporting of retail ceiling prices*. Every manufacturer who deter-



mines or redetermines the retail ceiling prices for any of his stoves in accordance with sections 11b or 11e of this regulation and is required to preticket that stove with the retail ceiling prices so determined in accordance with section 11d must send a report to the Office of Price Administration, Washington 25, D. C. containing the model designation and retail ceiling price in each zone of every such stove. This report must be filed within 15 days after the particular model is first sold or offered for sale by the manufacturer preticketed with the retail ceiling prices determined under this regulation. If the prices so reported are incorrect this Office may issue an order under this section establishing the correct retail ceiling prices.

13. Section 13 is amended to read as follows:

SEC. 13. Compliance with the regulation—(a) *No buying or selling at over ceiling prices.* Regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver, and in the course of trade or business, no person shall purchase or accept delivery of a heating or cooking stove at a price higher than the ceiling price fixed by this regulation, or before the seller has properly determined his ceiling price under this regulation.

If, in violation of this provision, a sale, offer to sell or delivery of a heating or cooking stove is made before its ceiling price has been properly established in accordance with this regulation, the ceiling price applicable to the sale, offer to sell or delivery shall be the correct ceiling price for the heating or cooking stove properly determined in accordance with this regulation.

(b) *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(c) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(d) *Certain practices forbidden.* Any practice which has the effect of getting a higher-than-ceiling price without actually raising the dollar and cents price is hereby forbidden.

The following is an illustrative list of the things a seller is not permitted to do. A seller is not permitted to require the purchaser, as a condition of the sale or transfer of the heating or cooking stove to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts, or services so as to increase the total compensation received by the seller above the ceiling price of the stove; to require the purchaser to purchase any other commodity

or service; or to require him to make payment in whole or in part by exchanging, transferring or trading in any other product or commodity. Where there is an exchange, transfer, or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance, for the product or commodity exchanged, transferred, or traded in which is less than its reasonable value.

Furthermore, the seller is prohibited from providing for the purchase of the stove by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable ceiling price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they customarily have been except to the extent allowed by this regulation.

SEC. 14. *Geographical applicability.* The provisions of this regulation shall be applicable in the forty-eight States and the District of Columbia.

This amendment shall become effective on the 7th day of June 1946.

NOTE: All the reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9557; Filed, June 5, 1946;  
4:40 a. m.]

#### PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 452, Amdt. 14]

##### MANUFACTURERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation 452 is amended in the following respects:

1. The narrative in section 7 (a) preceding subparagraph (1) is amended to read as follows:

(a) *In general.* Except as provided in the next sentence, the maximum price a manufacturer may charge for the sale of a new part or rebuilt motor for which he cannot establish a maximum price in accordance with section 6 or for which he has not established a new list price in accordance with that section and section 9, although permitted, but not required to do so, shall be the non-list price determined in accordance with the applicable subparagraph of subparagraphs (1) to (4) below. The maximum non-list prices for sales of metal automotive stampings made to manufacturers of automotive parts and to manufacturers of automotive vehicles shall be the prices determined in accordance with subparagraph (5) below:

<sup>1</sup> 9 F.R. 3301, 8814, 12038; 10 F.R. 6238, 6796, 7496, 9586.

2. The phrase "The price established under subparagraph (1), (2), (3), or (4)" contained in the narrative of section 7 (a) immediately following subparagraph (4) of section 7 (a) is amended to read "The price established under subparagraph (1), (2), (3), (4), or (5)."

3. Section 7 (a) is amended by including therein a new subparagraph (5) immediately following subparagraph (4) and preceding the narrative beginning with the phrase "The price established under subparagraph (1), (2), (3), (4), or (5)" to read as follows:

(5) (i) *Method.* The maximum non-list prices for sales of automotive metal stampings to manufacturers of automotive parts and to manufacturers of automotive vehicles shall be the non-list prices determined in accordance with the applicable subdivision of subparagraphs (1) to (4) above increased by 19 per cent.

(ii) *Definition.* Automotive metal stampings are those stamped or pressed metal automotive parts, when sold unassembled, which are mechanically processed by the use of dies and upon which further finishing operations may or may not have been performed. Such a stamping may consist of two or more stamped pieces which have been permanently joined by methods such as brazing, riveting, soldering or welding.

This amendment shall become effective June 6, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9594; Filed, June 6, 1946;  
11:44 a. m.]

#### PART 1370—ELECTRIC APPLIANCES

[RMPR 111, Amdt. 8]

##### NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 111 is amended in the following respect:

Section 25, Appendix A is amended by adding to the list of models and retail ceiling prices therein the following model of floor polisher and attachments to be inserted in alphabetical order:

Manufacturer	Model	Description	Retail price
Kent Co....	A-9	Floor polisher.....	\$69.50
		Scrubbing brush.....	3.00
		Outer polishing brush....	3.00
		Inner polishing brush....	2.25
		Lamb wool buffer.....	2.75

This amendment shall become effective on the 6th day of June 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9592; Filed, June 6, 1946;  
11:38 a. m.]



## PART 1380—HOUSE AND SERVICE INDUSTRY MACHINES

[MPR 598, Amdt. 14]

## POSTWAR HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has

been filed with the Division of the Federal Register.

Maximum Price Regulation No. 598 is amended in the following respects:

1. Section 24, Appendix A is amended by adding to the table of retail prices therein the following makes and models of refrigerators to be inserted in alphabetical order:

Make	Brand	1946 model number	1st zone <sup>1</sup>	2d zone <sup>2</sup>	3d zone <sup>3</sup>
Associated Merchandising Corporation.....	A, M, C.....	MBS 66.....	\$137.75	\$142.60	\$147.45
		MBD 66.....	157.15	162.00	166.85
		AMD 786.....	183.35	188.20	192.00

<sup>1</sup> Zone 1—Wisconsin, Michigan, Illinois, Indiana, Ohio.

<sup>2</sup> Zone 2—North Dakota, Minnesota, South Dakota, Iowa, Nebraska, Missouri, Kansas, Oklahoma, Arkansas, Kentucky, Tennessee, North Carolina, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine and the District of Columbia.

<sup>3</sup> Zone 3—South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Washington, Oregon, Nevada, California.

This amendment shall become effective on the 6th day of June 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9596; Filed, June 6, 1946;  
11:40 a. m.]

## PART 1380—HOUSE AND SERVICE MACHINE INDUSTRY

[MPR 598, Amdt. 15]

## POSTWAR HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 598 is amended in the following respect:

Section 24, Appendix A is amended by adding to the table of retail ceiling prices contained therein the following model of refrigerator to be inserted in alphabetical order:

Make	Brand	1946 model No.	1st zone <sup>1</sup>
The Crosley Corp.....	Crosley..	SE 746..	\$199.95

<sup>1</sup> Zone 1 includes the 48 states and Washington, D. C.

<sup>2</sup> A charge of \$4.75 may be added if the refrigerator is sold equipped with a left-hand door.

This amendment shall become effective on the 6th day of June, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9597; Filed, June 6, 1946;  
11:38 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 70]

## RENTAL OF DUMP TRUCKS ON CONSTRUCTION, ROAD MAINTENANCE AND HOUSING IN TERRITORIES AND POSSESSIONS OF UNITED STATES

A statement of the considerations involved in the issuance of this Supple-

mentary Service Regulation No. 70, issued simultaneously herewith, has been filed with the Division of the Federal Register.

§ 1499.711 *Rental of dump trucks on construction, road maintenance, and housing projects in the territories and possessions of the United States—(a) Applicability of this regulation.* This regulation applies to all rentals of dump truck and combination truck and trailer mounted equipment for use on or in connection with construction, road maintenance, or housing projects (hereinafter referred to as "construction") in any of the territories and possessions of the United States.

(b) *Relation of this regulation to other regulations.* This regulation replaces section 16 of Maximum Price Regulation 134, the provisions of which are substantially contained herein. It also replaces the pricing provisions and modifies other provisions of Revised Maximum Price Regulation 165. All other provisions of RMPR 165 not inconsistent with the provisions of this supplementary service regulation remain in effect. All orders previously issued by a Territorial Director or the Regional Administrator for the Ninth Region under Maximum Price Regulation 134 and the maximum rental rates authorized therein, remain in full force and effect under this regulation.

(c) *Maximum rates for dump truck rentals—(1) "Fully maintained and operated" basis.* The maximum hourly rates for the rental of dump trucks on a "fully maintained and operated" basis, less driver, for use on construction work (including other uses to which such trucks may be assigned in the course of rentals which are primarily for construction or road maintenance work) are set forth in Schedule I.

(2) *"Bare" basis.* The maximum rates for the rental of dump trucks on a "bare" basis for use on construction projects (including other uses to which such trucks may be assigned in the course of rentals which are primarily for construction or road maintenance work) are set forth in Schedule II.

(3) *Combination charges prohibited.* In no event may any charge for a particular rental of a dump truck be based on a combination of Schedule I and Schedule II rates.

(d) *Less than maximum rates.* Nothing in this regulation prevents the charging or offering, or paying of rates lower than the maximum rates permitted in Schedules I and II.

(e) *Modification of rates.* The Office of Price Administration, through its Director in the territory or possession, may at any time by order authorize maximum rental rates for dump trucks other than those provided herein, applicable to any group of lessors, or all lessors, for (1) a designated geographical area, or (2) a specified type of work where it is demonstrated that due to conditions peculiar to the area or project, that the rates herein established are either higher or lower than would be generally fair and equitable to either lessee or lessor.

(f) *Truck and trailer mounted equipment.* (1) The maximum rental rate for any combination machine consisting of any construction or road maintenance equipment mounted on an automotive truck or trailer and rented on a bare basis shall be a price calculated on the basis of a monthly rate which shall be equal to the sum of the following: (i) the maximum monthly rate for such equipment in accordance with section 15, Appendix A of Maximum Price Regulation 134, or under Maximum Price Regulation 136, where applicable, and (ii) a maximum monthly rental rate for the truck or trailer equal, for trucks to 7 percent and for trailers to 5½ percent, of the highest maximum price established by any regulation issued by the Office of Price Administration for the sale to any domestic class of purchaser, of the nearest equivalent new truck or trailer, or the nearest equivalent new truck or trailer chassis and the nearest equivalent new extra, special, or optional equipment which may have been added to complete the rented truck or trailer.

(2) Maximum charges for operating and maintenance services supplied by lessors in connection with rental of truck or trailer mounted equipment, whether amounting to a fully, or partially, operated service shall be charges established by filing an application for approval of such rate pursuant to section 5 of Revised Maximum Price Regulation 165.

## SCHEDULE I—RENTALS OF DUMP TRUCKS ON A FULLY MAINTAINED AND OPERATED BASIS

## PART I—SCHEDULE

From and including (cubic yards)	Up to but not including (cubic yards)	Charge per hour (not including operator's wages)		
		A	B	C
	3.....	\$1.50	\$1.20	\$1.35
3.....	4.....	1.80	1.45	1.65
4.....	5.....	2.25	1.80	2.05
5.....	6.....	2.40	1.95	2.15
6.....	7.....	2.65	2.15	2.40
7.....	8.....	3.25	2.60	2.95
8.....	10.....	3.65	2.95	3.30
10.....	12.....	4.40	3.55	3.95
12.....		4.70	3.75	4.25
Over 12 cubic yards, add for each cubic yard.....		.30	.20	.25
On all 3 axle, 10 tire trucks with drive on two rear axles, add.....		.40	.40	.40

## PART II

(1) Where a driver is provided by the lessor in connection with a fully maintained rental of a dump truck, there may be added to the above hourly rate, 135% of the hourly wage for the operator of such truck at the wage



prevailing on March 31, 1942, in the area of the job site.

(2) The capacity of any dump truck shall be the water level capacity as determined by the height of the tail gate or front end, whichever is lower, of the permanent body of the truck: *Provided*, That when necessary to attain such water-level the sides of the truck are brought up to this height, whether by temporary or permanent additions. It shall be a violation of this regulation for any lessor to refuse to supply sideboards, or any type of work where he has customarily supplied the same, in order to obtain greater aggregate rental for his trucks. The capacity of the Boulder type dump truck shall be determined by the manufacturer's rating.

(3) Column A rates apply where the loading is performed by power loading devices except where the material is processed sand, gravel, crushed stone, or other processed materials in stock piles at a commercial producing plant, at point of construction or at intermediate point of transfer. A hopper, chute, bunker, or conveyor shall not be deemed to be a power loading device.

Column B rates apply where the loading is performed by hand and where the average mileage of the vehicle does not exceed 8 miles per hour for the period of time the vehicle is in use each day.

Column C rates apply where transportation or loading is performed under conditions other than those described for application of Column A or B rates. Column C rates apply where the loading is by hopper, chute, bunker, or conveyor.

(4) On any job where the lessee finds it impossible or impracticable, because of the shifting of trucks from one type of loading to another, to calculate the rental according to the several services rendered by each truck, the lessee may pay, as a maximum rental price for the job, a price calculated on the basis of any rate, or combination of rates, which does not exceed the applicable rates set forth in Column A above.

(5) Irrespective of the basis of contract, in no event shall any rental paid or received for dump trucks exceed the maximum rental permitted by application of the foregoing hourly rates.

(6) In every instance, the foregoing maximum hourly rates shall apply irrespective of the length of time that a truck is on the job, except that where the lessor is required to pay his truck operator overtime wages on any job because of overtime operation of the truck, there may be added to the maximum rental the dollar amount, determined according to wage rates in effect on March 31, 1942, of so much of the excess of overtime wages over straight time wages as is actually paid the operator plus payroll taxes and insurance for such overtime operation of the truck.

(7) In every instance, rental for any dump truck rented on a fully operated basis shall be calculated, in accordance with this paragraph, as beginning not sooner than the time the truck arrives on the job ready for use and as ending when the truck is finally released on the job for return to the lessor, except that where the truck must be moved daily to and from the job, the lessor may charge the lessee an additional hour's rent at the applicable maximum rate for each day that the truck is moved to and from the job.

(8) The Office of Price Administration, through its Director in the territory or possession, may authorize for a particular job, an increase in the rental provided by the foregoing hourly rates, not exceeding 10 percent of the applicable maximum, where the lessor, prior to charging the higher rental, has satisfactorily shown that his equipment is to be used on such job more than 25 miles from his yard and that his costs will be materially increased by reason of such use.

#### PART III—APPLICATION OF RATES

(a) All repairs and replacements, including tire replacements shall be made by and

at the cost and expense of the lessor. Payment will not be made for use of equipment during the time when repairs are being made.

(b) These rates may be applied only to the hours of actual use, but do not contemplate lessee unreasonably retaining equipment in his possession when not in actual use.

#### FULLY MAINTAINED AND OPERATED BASIS RENTAL

(c) All fuel and lubricants used in the operation of motor vehicles shall be furnished (or paid for) by the lessor.

(d) Drivers' wages are excluded from all rates indicated hereon.

#### PART IV—DEFINITION AND GENERAL PROVISIONS

Fully maintained and operated basis refers to any lease, contract, or understanding, regardless of whether the same is denominated a rental agreement, or forms a part of another agreement, whereby one party undertakes to furnish another party with any of this equipment, and supply all services required there-with except drivers.

Rental rates set forth in this table are for fully maintained and operated vehicles (less drivers), and includes charges for mechanics, greasers, gasoline, fuel oil, lubricants, repairs, tire maintenance or any other charge which is properly a part of "maintenance and operating service." The rental rates set forth in this table include an allowance for the cost of all repairs and overhauling.

#### SCHEDULE II—RENTALS OF DUMP TRUCKS ON A "BARE" BASIS

##### PART I

Maximum price of truck, chassis, and equipment	A	B	C
	Per-cent	Per-cent	Per-cent
Up to and including \$4,500....	9	7	8
Over \$4,500 to \$8,500.....	8	6½	7
Over \$8,500.....	7	5½	6½
Half-track dump trucks.....	9	8	7

##### PART II

Determination of truck capacities and application of the foregoing rates shall be governed by the provisions of subparagraphs (2), (3) and (4) of Schedule I, Part II.

In every instance, rental for dump trucks leased on a bare basis shall be calculated as beginning at the time trucks are delivered into possession of the lessee, and as terminating at the time when trucks are delivered back into the possession of the lessor.

#### PART III—APPLICATION OF RATES

(a) The monthly rates established herein are based upon a usage of 240 hours per month. For actual use for more than 240 hours during one monthly period, the maximum additional rental price for each additional hour, or part of an hour, for such actual use shall be calculated upon the basis of 1/480 of the applicable rate per month shown in the foregoing schedule.

(2) If used for a part of a monthly period, the maximum rental rate for such part of the monthly period shall be calculated upon the basis of the higher of: (1) 1/30 of the applicable monthly rate for each daily period, or part thereof, of possession or (2) 1/240 of the applicable monthly rate for each hour, or part thereof, of actual use.

(c) All fuel and lubricants used in the operation of motor vehicles shall be furnished (or paid for) by the lessee.

(d) Drivers' wages are excluded from all rates indicated herein.

#### PART IV—DEFINITION AND GENERAL PROVISIONS

"Bare" basis refers to any lease, contract, or understanding, regardless of whether the same is denominated a rental agreement, or

forms a part of another agreement, whereby one party undertakes to furnish another party with any of this equipment, without supplying any operating and maintenance services required therewith.

Rental rates set forth in this table are for "bare" dump trucks and do not include charges for drivers, mechanics, greasers, gasoline, fuel oil, lubricants, repairs, or maintenance (except that due to normal wear and tear), or any other charge which is properly a part of operating and maintenance service. The rental rates set forth in this table include an allowance for the cost of all repairs and overhauling required as a result of normal wear and tear of vehicles. This means that:

(a) When vehicles are on bare rental and break down as a result of normal wear and tear, lessor cannot charge lessee with the cost of repairs, or any rental for the time lost while repairs are being made.

(b) Where vehicles are bare rental breakdown as a result of any cause other than normal wear and tear, lessor can charge lessee with the cost of repairs and with rental for possession of vehicles during the time while repairs are being made.

(c) However, where vehicles are on bare rental, the lessee may at his own expense always make minor repairs, regardless of the cause of breakdown, where such repairs are necessary to keep the job going, but he may not charge the cost of such repairs to the lessor or deduct the time lost for making repairs from the rental period, without the lessor's consent.

(d) In any instance where there is a breakdown of vehicles on bare rental, the cause of such breakdown is a question of fact that must be determined between the lessor and the lessee.

(e) A bare rental contract may provide for the assumption by the lessee of the duty to make all repairs and replacements at his own cost and expense, including those resulting from normal wear and tear and including tire repair or replacement, provided that in such event the rental shall not exceed 85% of the applicable maximum rental rate set forth in this table. By way of illustration but not limitation, such a lessee may be required to pay the entire cost of a repair or replacement necessitated by climatic conditions, fire, flood, tornado, etc., while the vehicle is or was in his possession, and the normal wear and tear resulting from his use and may be required to pay rental during the repair period. He may be required to pay a proportion of the cost of tires; for example, based upon his mileage use as compared with the normal mileage life of the tires. However, he shall not be required to pay for repair or replacement due to pre-existing or hidden defects, or to defective material, nor would he be required to pay rental during the repair period.

This Supplementary Service Regulation shall become effective as of the 14th day of May 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9593; Filed, June 6, 1946; 11:41 a. m.]

#### PART 1426—PRIMARY FOREST PRODUCTS

[MPR 556, Amdt. 2]

#### WESTERN RAILROAD TIES AND WOODEN MINE MATERIALS

A statement of the considerations involved in the issuance of this amend-



ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 556 is amended in the following respects:

1. In section 17, table 5 is amended to read as follows:

TABLE 5—WESTERN PINE, ETC., RAILROAD TIES

[Area: This table applies in the entire area covered by the regulation except for the species and qualifications set forth below]  
[Species: Lodgepole pine, Tamarack, Ponderosa pine, Larch, Douglas fir, Engelmann spruce and related species, or any combination of these species, except Douglas fir, Hemlock and true firs produced in California and west of the crest of the Cascade Mountains in Washington, Oregon and Canada. Specifications: The maximum prices specified below apply to untreated cross ties manufactured in accordance with the specifications of the American Railway Engineering Association]

Area	Cross ties per M'BM	Switch ties per M'BM	Estimated weights per M'BM	
			Green	Dry
North and west area (see section 7 (a))	\$33.00	\$36.00	3,800	3,200
Fringe area (see section 7 (b))	34.50	40.00	3,800	3,200

1. For 8' 6" and 9' 0" cross ties, add \$2 per M'BM.  
2. In the Fringe area, but not in the north and west area, a tie contractor may add \$5 per M'BM of Western Railroad cross ties. No tie contractor addition is allowed on switch ties. See section 6 for definition of tie contractor.

3. For railroad ties of Western pine and associated species, produced in Arizona, New Mexico, or Colorado and sold f. o. b. mill or point of production, the maximum price shall be \$28.50 per M'BM. On delivered sales, additions for transportation may be made in accordance with sections 4 (a) and (b), the charges to be computed for the entire haul from mill to destination, but in no case to exceed \$10 per M'BM.

2. In section 17, table 6 is amended to read as follows:

TABLE 6—DOUGLAS FIR, ETC., RAILROAD TIES

[Area: This Table applies in California and west of the crest of the Cascade Mountains in Washington, Oregon and Canada]  
[Species: Douglas fir and other West Coast species. Graded under A. R. E. A. Rules or W. C. L. A. Rules No. 12]

	Cross ties per M'BM	Switch ties per M'BM 8' 16"-17'
A. R. E. A. or select Par. 205	\$34.00	\$36.00
No. 1, Par. 206	31.50	33.50
No. 2, Par. 207	28.50	30.50

  

	Green lbs. per M'	Dry lbs. per M'
Estimated weights:		
Fir	3,300	3,100
Hemlock	3,800	3,000

1. No additions for odd or fractional thickness, widths, or lengths, except as provided in footnote 5 below.

2. Hemlock and true firs: Deduct \$1.00 per M'BM.

3. F. O. H. C. ties, add \$1.50 per M'BM.

4. For switch ties longer than 17' use timber schedule in Revised Maximum Price Regulation 26—Douglas Fir and Other West Coast Lumber.

5. For 8' 6" and 9' cross ties, add \$2.00 per M'BM.

6. Any producer of Douglas fir ties whose mill is located on the East slope of the Cascade Mountains near the crest, and who has customarily graded and sold his ties in accordance with the grading rules established in the West Coast Lumber Association Rules No. 12, may apply to the Office of Price Administration for permission to sell his ties under this table. The application shall be directed to the Lumber Branch, Office of Price Administration, Washington 25, D. C., and shall contain all of the information necessary for the Lumber Branch to determine whether it has been the customary practice of this mill to sell under West Coast Lumber Association rules.

No. 111—3

The amendment shall become effective June 11, 1946.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9595; Filed, June 6, 1946; 11:38 a. m.]

## Chapter XVIII—Office of Economic Stabilization

[Directive 115]

### PART 4003—SUPPORT PRICES: SUBSIDIES

#### PAYMENT OF INCREASED TRANSPORTATION COSTS IN CONNECTION WITH THE MOVEMENT OF SUGAR BEETS BECAUSE OF CLOSED PROCESSING PLANTS: 1946 SUGAR BEET TRANSPORTATION PROGRAM

The Secretary of Agriculture has, by letter and enclosures, dated May 22, 1946, submitted certain information and recommended a proposed 1946 Sugar Beet Transportation Program. Due to the small volume of sugar beets which it is anticipated will be produced in some areas in 1946, certain beet processing plants will not operate. Under the proposed program, Commodity Credit Corporation will pay the increased transportation costs of sugar beets produced by growers served by the closed processing plants in shipping sugar beets to the nearest operating processing plant. The program is estimated to result in an expenditure of approximately \$300,000. On the basis of the Secretary's statements, I find that the proposed program is necessary to effectuate the Stabilization Program.

Accordingly, pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9651 of August 30, 1945 (10 F.R. 13487), Executive Order 9697 of February 14, 1946 (11 F.R. 1691), and Executive Order 9699 of February 21, 1946 (11 F.R. 1929); *It is hereby ordered:*

1. The Department of Agriculture is authorized and directed to carry out, through the Commodity Credit Corporation, the program described in the Secretary of Agriculture's letter and the memorandum enclosed therewith.

Issued and effective this 3d day of June 1946.

CHESTER BOWLES,  
Director.

[F. R. Doc. 46-9541; Filed, June 5, 1946; 12:01 p. m.]

[Directive 116]

### PART 4003—SUPPORT PRICES: SUBSIDIES FLAXSEED, 1946 CROP

The Secretary of Agriculture has submitted certain information and recom-

mendations to me with respect to a price support and subsidy program for flaxseed of the 1946 crop.

After careful consideration, I find that the program recommended by the Secretary is necessary to effectuate the stabilization program.

Accordingly, pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9651 of October 30, 1945 (10 F.R. 13487), Executive Order 9697 of February 14, 1946 (11 F.R. 1691); and Executive Order 9699 of February 21, 1946 (11 F.R. 1929), *It is hereby ordered:*

The Secretary of Agriculture is authorized and directed to formulate and carry out a program to support the price of flaxseed of the 1946 crop by subsidy payments and loans and purchases in accordance with his letter of May 24, 1946, and the memoranda attached thereto.

Issued and effective this 4th day of June, 1946.

CHESTER BOWLES,  
Director.

[F. R. Doc. 46-9542; Filed, June 5, 1946; 12:01 p. m.]

## Chapter XXIII—War Assets Administration

[SPA Reg. 17<sup>1</sup>, Revocation of Order 3]

### PART 8317—STOCKPILING OF STRATEGIC MINERALS, METALS, AND MATERIALS

#### SALES BY OWNING AGENCIES OF SCRAP CONTAINING CERTAIN STRATEGIC METALS

Surplus Property Administration Regulation 17, Order 3, March 6, 1946, entitled "Sales By Owning Agencies of Scrap Containing Certain Strategic Metals" (11 F.R. 2383), is hereby revoked and rescinded.

This revocation shall become effective June 3, 1946.

E. B. GREGORY,  
Administrator.

JUNE 3, 1946.

[F. R. Doc. 46-9588; Filed, June 6, 1946; 11:43 a. m.]

## TITLE 46—SHIPPING

### Chapter III—War Shipping Administration

[Rev. G. O. 6, Supp. 13]

#### PART 305—INSURANCE

##### CREW INSURANCE FORMS

Effective, as of date of publication of this supplement in the FEDERAL REGISTER, as to all new insurances and as to claims arising under existing crew life war risk individual insurance policies on and after said effective date, Subpart C—Crew Insurance, of General Order 6, Revised, is

<sup>1</sup> SPA Reg. 17 (10 F.R. 14207, 15218, 8463).



amended by deleting paragraph 7 of § 305.307 *Form of application* and paragraph 5 of § 305.315 *Standard form of crew life war risk individual insurance policy*.

(E.O. 9054, 3 CFR Cum. Supp. 54 Stat. 689, as amended)

[SEAL]

GRANVILLE CONWAY,  
Administrator.

JUNE 4, 1946.

[F. R. Doc. 46-9589; Filed, June 6, 1946;  
11:45 a. m.]

### Notices

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 7550]

TRI-SUBURBAN BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Tri-Suburban Broadcasting Corporation, Silver Spring, Maryland, for construction permit. Docket No. 7550; File No. B1-P-4541.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 26th day of April 1946.

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on the frequency of 1050 kc, with 1 kw power, daytime only, at Silver Spring, Maryland;

*It is ordered*, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Key Broadcasting Corporation (File No. B1-P-4713) for a construction permit for a new standard broadcast station to operate on the frequency of 1050 kc, with 1 kw power, daytime only, at Baltimore, Maryland, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of Westinghouse Radio Stations, Inc.

(KYW) (File No. B2-P-3855, Docket No. 7352) for a construction permit to install a new directional antenna for station KYW at Philadelphia, Pennsylvania, and Key Broadcasting Corporation (File No. B1-P-4713), or with any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9569; Filed, June 6, 1946;  
10:02 a. m.]

[Docket No. 7551]

KEY BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Key Broadcasting Corporation, Baltimore, Maryland, for construction permit. Docket No. 7551; File No. B1-P-4713.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 26th day of April 1946;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on the frequency 1050 kc, with 1 kw power, daytime only, at Baltimore, Maryland.

*It is ordered*, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Tri-Suburban Broadcasting Corporation (File No. B1-P-4541) for a construction permit for a new standard broadcast station to operate on the frequency of 1050 kc., with 1 kw power, daytime only, at Silver Spring, Maryland, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if

so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of Westinghouse Radio Stations, Inc. (KYW) (File No. B2-P-3855, Docket No. 7352) for a construction permit to install a new directional antenna for Station KYW at Philadelphia, Pennsylvania, and Tri-Suburban Broadcasting Corporation (File No. B1-P-4541) or with any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9570; Filed, June 6, 1946;  
10:02 a. m.]

[Docket No. 7567]

CENTRAL CONNECTICUT BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re: application of The Central Connecticut Broadcasting Company, New Britain, Connecticut, for construction permit. Docket No. 7567; File No. B1-P-4505.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of May 1946;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to be operated on the frequency 910 kc, with 5 kw power, unlimited time, at New Britain, Connecticut;

*It is ordered*, That the said application be designated for hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.



4. To determine whether the operation of the proposed station would involve objectionable interference with Stations WGBI and WQAN, sharing time at Scranton, Pennsylvania, WRNL at Richmond, Virginia, WJAR at Providence, Rhode Island, and CBO at Ottawa, Canada, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9571; Filed, June 6, 1946;  
10:02 a. m.]

[Docket No. 7568]

NATHAN SCHWARTZ

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Nathan Schwartz, Chicago, Illinois, for construction permit. Docket No. 7568; File No. B4-PH-943.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 16th day of May 1946;

The Commission having under consideration the above-entitled application for construction permit for a new FM metropolitan broadcast station in Chicago, Illinois;

*It is ordered*, That this application be designated for hearing to be consolidated with the hearings on the applications of the Agricultural Broadcasting Company, et al. (Docket Nos. 7135-7153 inclusive) for construction permits for new FM metropolitan broadcast stations in the Chicago, Illinois, area, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That the order heretofore issued in the consolidated proceedings for Docket Nos. 7135-7153 inclusive be, and it is hereby amended to include the application of Nathan Schwartz, Chicago, Illinois (File No. B4-PH-943).

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9572; Filed, June 6, 1946;  
10:02 a. m.]

[Docket No. 7559]

AMARILLO BROADCASTING CORP.

CORRECTED ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Amarillo Broadcasting Corporation (KFDA), Amarillo, Texas, for construction permit. Docket No. 7559; file No. B3-P-4353.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 2d day of May 1946;

The Commission having under consideration the above-entitled application for a construction permit to change the frequency of Station KFDA at Amarillo, Texas, from 1230 kc to 1440 kc, and to increase power from 250 watts to 1 kw night, 5 kw local sunset, unlimited time;

*It is ordered*, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the applications for construction permits of Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Co. (KEYS) (File No. B3-P-3999), to change frequency to 1440 kc, increase power to 5 kw day, 1 kw night, and to install a new antenna system and transmitter at a new location; S. H. Patterson (KVAK) (File No. B4-P-4317) to change frequency from 1450 kc to 1200 kc, increase power to 1 kw, and change hours of operation from unlimited time to daytime only; and S. H. Patterson (File No. B4-P-4389) for a new standard broadcast station at Topeka, Kansas, to operate on 1440 kc, 5 kw DA for night use, unlimited time (the granting of each said application of S. H. Patterson to be contingent upon the granting of the other such application), upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors, and stockholders, to construct and operate Station KFDA as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KFDA as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station KFDA as proposed would involve objectionable interference with Station XEFI at Chihuahua, Chihuahua,

Mexico, and, if so, the nature and extent thereof.

5. To determine whether the operation of Station KFDA as proposed would involve objectionable interference with any existing broadcast stations in the United States and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of Station KFDA as proposed would involve objectionable interference with the services proposed in the said pending applications of Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Company (KEYS) (File No. B3-P-3999) and S. H. Patterson (File No. B4-P-4389), or with any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station KFDA as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9573; Filed, June 6, 1946;  
10:02 a. m.]

[Docket No. 7560]

S. H. PATTERSON

CORRECTED ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of S. H. Patterson, Topeka, Kansas, for construction permit. Docket No. 7560; File No. B4-P-4389.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 2d day of May 1946;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to be operated on the frequency 1440 kc, with 5 kw power, employing a directional antenna for nighttime use, unlimited time, at Topeka, Kansas, contingent upon the granting of the pending application of S. H. Patterson (KVAK) (File No. B4-P-4317) to change frequency from 1450 kc to 1200 kc, increase power to 1 kw., and change hours of operation from unlimited time to daytime only;

*It is ordered*, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the applications for construction permits of Earl C. Dunn, Charles W. Rossi, H. B. Lockhart & E. C. Hughes, d/b as Nueces Broadcasting Co. (KEYS) (File No. B3-P-3999) to change frequency from 1430 kc to 1440 kc and increase power to 5 kw



day, 1 kw night, and to install a new antenna system and transmitter at a new location; Anarillo Broadcasting Corporation (KFDA) (File No. B3-P-4353) to change frequency from 1230 kc to 1440 kc, and to increase power from 250 w to 1 kw night, 5 kw local sunset, unlimited time; and S. H. Patterson (KVAK) (File No. B4-P-4317) to change frequency from 1450 kc to 1200 kc, increase power to 1 kw, and change hours of operation from unlimited time to daytime only, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the nature and extent of other broadcast service available to those areas and populations, particularly from Station KVAK at Atchison, Kansas.

3. To determine whether the proposed station would render primary service within the areas and to the populations served by Station KVAK at Atchison, Kansas, and the extent thereof.

4. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

5. To determine whether the operation of the proposed station would involve objectionable interference with existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the said pending applications of Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Company (KEYS) (File No. B3-P-3999), Amarillo Broadcasting Corporation (KFDA) (File No. B3-P-4353); or with any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the construction of the antenna system proposed herein would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9574; Filed, June 6, 1946;  
10:02 a. m.]

[Docket No. 7561]

NUECES BROADCASTING CO.

CORRECTED ORDER DESIGNATING APPLICATION  
FOR CONSOLIDATED HEARING ON STATED  
ISSUES

In re application of Earl C. Dunn, Charles W. Rossi, H. B. Lockhart & E. C. Hughes, d/b as Nueces Broadcasting Company (KEYS), Corpus Christi, Texas, for construction permit. Docket No. 7561; File No. B3-P-3999.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 2d day of May 1946;

The Commission having under consideration the above-entitled application to change frequency of Station KEYS at Corpus Christi, Texas, from 1490 kc to 1440 kc and to increase power from 250 w to 1 kw night, 5 kw local sunset, and to install a new antenna system and transmitter at a new location;

It is ordered, That the said application be, and it is hereby designated for hearing in a consolidated proceeding with the applications for construction permits of Amarillo Broadcasting Corporation (KFDA) (File No. B3-P-4353) to change frequency from 1230 kc to 1440 kc and to increase power from 250 w to 1 kw night, 5 kw local sunset, unlimited time; S. H. Patterson (KVAK) (File No. B4-P-4317) to change frequency from 1450 kc to 1200 kc, increase power to 1 kw, and change hours of operation from unlimited time to daytime only; and S. H. Patterson (File No. B4-P-4389) for a new standard broadcast station at Topeka, Kansas, to operate on 1440 kc, 5 kw, DA for night use, unlimited time (the granting of each said application of S. H. Patterson to be contingent upon the granting of the other such application), upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate Station KEYS as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KEYS as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station KEYS as proposed would involve objectionable interference with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station KEYS as proposed would involve objectionable interference with the services proposed in the said pending applications of Amarillo Broadcasting Corporation (KFDA) (File No. B3-P-4353) and S. H. Patterson (File No. B4-P-4389), or with any other pending applications for broadcast facilities and,

if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station KEYS as proposed would be in compliance with the Commission's rule and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9575; Filed, June 6, 1946;  
10:02 a. m.]

[Docket No. 7562]

S. H. PATTERSON

CORRECTED ORDER DESIGNATING APPLICATION  
FOR CONSOLIDATED HEARING ON STATED  
ISSUES

In re application of S. H. Patterson (KVAK), Atchison, Kansas, for construction permit. Docket No. 7562; File No. B4-P-4317.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 2d day of May 1946;

The Commission having under consideration the above-entitled application for a construction permit to change the frequency of Station KVAK at Atchison, Kansas, from 1450 kc to 1200 kc, increase power to 1 kw, and to change hours of operation from unlimited time to daytime only, contingent upon the granting of the pending application of S. H. Patterson (File No. B4-P-4389) for a construction permit for a new standard broadcast station to be operated on the frequency 1440 kc, with 5 kw power, employing a directional antenna for nighttime use, unlimited time, at Topeka, Kansas;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the applications for construction permits of Earl C. Dunn, Charles W. Rossi, H. B. Lockhart & E. C. Hughes, d/b as Nueces Broadcasting Co. (KEYS) (File No. B3-P-3999) to change frequency from 1490 kc to 1440 kc, and increase power to 5 kw day, 1 kw night, and to install a new antenna system and transmitter at a new location; Amarillo Broadcasting Corporation (KFDA) (File No. B3-P-4353) to change frequency from 1230 kc to 1440 kc, and to increase power from 250 w to 1 kw night, 5 kw Local Sunset, unlimited time; and S. H. Patterson (File No. B4-P-4389) for a new standard broadcast station to be operated on frequency 1440 kc, with 5 kw power, employing a directional antenna for nighttime use, unlimited time, at Topeka, Kansas, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the



applicant to construct and operate Station KVAK as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KVAK as proposed, and the nature and extent of other broadcast service available to those areas and populations.

3. To determine whether Station KVAK, as proposed, would render primary service within the areas and to the populations proposed to be served by the new station at Topeka, Kansas; proposed in the said pending application of S. H. Patterson (File No. B4-P-4389), and the extent thereof.

4. To determine the type and character of program service proposed to be rendered by Station KVAK and whether it would meet the requirements of the populations and areas to be served.

5. To determine whether the operation of Station KVAK as proposed would involve objectionable interference with any other existing broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of Station KVAK as proposed would involve objectionable interference with any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of Station KVAK as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9576; Filed, June 6, 1946;  
10:03 a. m.]

#### FEDERAL POWER COMMISSION.

[Project No. 233]

PACIFIC GAS AND ELECTRIC CO.

ORDER FIXING HEARING

MAY 28, 1946.

It appearing to the Commission that:

(a) In amending Pacific Gas and Electric Company's license for Project No. 233 on the Pit River in California, the Commission worded the amended license so as to have the rate of flow required for fish life open for adjustment in the future;

(b) The California Fish and Game Commission has recommended a minimum flow of not less than five percent of the average daily discharge at Pit 4 dam be maintained in all portions of the river between Lake Britton dam and Pit No. 5 power house, thus assuring a flow of 114 cubic feet per second;

(c) The Secretary of the Interior has recommended either that not less than 50 c. f. s. shall at all times be discharged into the stream bed from Pit 5 dam, or that not less than 100 c. f. a. shall at all

times be maintained in the stream bed at the Big Bend gaging station;

The Commission finds that:

It would be desirable to afford all interested parties an opportunity to present evidence at a public hearing on these matters and the issues involved;

The Commission orders that:

(A) A public hearing be held in San Francisco, California, at a place hereafter to be named, concerning the matters involved and the issues presented in this proceeding;

(B) The Secretary of the Interior and the Division of Fish and Game, Department of Natural Resources, State of California, and any other interested party may offer relevant testimony in this hearing.

By the Commission.

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-9566; Filed, June 6, 1946;  
9:48 a. m.]

[Docket No. G-726]

VIRGINIA GAS TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING

JUNE 4, 1946.

Upon consideration of the application filed on May 6, 1946, by Virginia Gas Transmission Corporation (Applicant), for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(1) A 1,600 hp. compressor station to be known as Bickers Station, complete with necessary accessory equipment and structures, to be located in the general vicinity of the intersection of the main transmission line with the boundary of Greene and Madison Counties, Virginia.

(2) An additional 800 hp. gas engine driven compressing unit at its existing Gala Compressor Station, located in Fincastle District, Botetourt County, Virginia.

(3) Applicant also proposes to construct or have constructed for serving natural gas at wholesale to the Lynchburg Gas Company, at or near Lynchburg, Virginia, a 30 mile 6" solid welded steel lateral line extending from applicant's 20" main line, at a point near Lexington, Virginia, to Lynchburg, Virginia.

The Commission orders that:

(A) A public hearing be held commencing on June 24, 1946, at 10:00 a. m. (est), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington 25, D. C., respecting the matters involved and the issues presented in the above-entitled matter.

(B) Interested State commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-9567; Filed, June 6, 1946;  
9:48 a. m.]

[Docket No. G-733]

CARNEGIE NATURAL GAS CO.

NOTICE OF APPLICATION

JUNE 4, 1946.

Notice is hereby given that on May 28, 1946, Carnegie Natural Gas Company ("Applicant"), filed an application pursuant to section 7 (b) of the Natural Gas Act for permission and approval to abandon as part of its utility system, its Hastings Compressor Station located in Grant District, Wetzel County, West Virginia, consisting of buildings and land (approximately fifty-seven acres), and compressor equipment as follows:

One 960 horsepower Nordberg steam driven gas compressor.  
Low pressure power cylinder 56" x 60".  
High pressure power cylinder 26" x 60".  
Direct connected to two (2)—26" x 60" gas compressors.  
Three (3) Erie City 200 h.p. boilers.  
Appurtenant equipment consisting of:  
Gas scrubber, air compressor.  
Water pumps and tanks.  
Miscellaneous station piping and structures.

Applicant is a Pennsylvania corporation, with its principal place of business at 1015 Frick Building, Pittsburgh 19, Pennsylvania, and authorized to do business in West Virginia. On August 3, 1943, Docket No. G-263, the Federal Power Commission issued to Applicant a "grandfather" certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the continued operation of its business, operations and properties, of which this compressor station is a part. It is stated in the application that Applicant erected the station for the purpose of withdrawing natural gas from a group of wells located adjacent to the station, but that as a result of depleted well volume it is now feasible and economical for Applicant's Hundred Station located approximately thirteen (13) miles northeast thereof to pump all the gas handled by Hastings Station, and therefore the operation and maintenance of Hastings Station is no longer necessary. Applicant further states that no service now being rendered by it will be affected by the abandonment of the station.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Applicant should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen (15) days from the date of this publication, a petition or protest in accordance with the Commission's provisional rules



of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-9568; Filed, June 6, 1946;  
9:48 a. m.]

# OFFICE OF PRICE ADMINISTRATION.

[Rev. SO 119, Order 239]

HAYS MFG. CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 239 under Revised Supplementary Order No. 119. Individual adjustments for reconverting manufacturers. Adjustment of maximum prices for low pressure valves as specified in Revised Supplementary Order No. 119 manufactured by Hays Manufacturing Company, Erie, Pennsylvania. Dockets Nos. 6123-SO 119-36 and 6123-SO 119-39.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Hays Manufacturing Company, Erie, Pennsylvania.*

(1) The above manufacturer may determine his maximum prices for his line of low pressure valves by increasing by 25.2 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this Order at or before the time of the first invoice after the adjustment granted by this Order is put into effect:

Order No. 239 under Revised Supplementary Order No. 119 authorizes a 25.2 percent increase in October 1, 1941 net prices for sales

of low pressure valves manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 239.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order No. 239 shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9533; Filed, June 5, 1946;  
11:34 a. m.]

[Rev SO 119, Order 240]

FRANKLIN TILE CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 240 under Revised Supplementary Order No. 119. Adjustment of maximum prices for clay wall and floor tile manufactured by the Franklin Tile Company, Lansdale, Pennsylvania. Docket No. 6122-SO 119-12.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Franklin Tile Company, Lansdale, Pennsylvania.*

(1) The above manufacturer may determine his maximum prices for his line of ceramic clay wall and floor tile by increasing by 17 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 592, in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the com-

modities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 240 under Revised Supplementary Order No. 119 authorizes a 17 percent increase in October 1, 1941 net prices for sales of ceramic clay wall and floor tile manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 240.

(d) All requests for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9534; Filed, June 5, 1946;  
11:35 a. m.]

[Rev. SO 119, Order 241]

ARCHITECTURAL TILING CO.

## ADJUSTMENT OF MAXIMUM PRICES

Order No. 241 Under Revised Supplementary Order No. 119. Adjustment of maximum prices for clay wall and floor tile manufactured by the Architectural Tiling Company, 101 Park Avenue, New York, 17, New York. Docket No. 6122-SO, 119-14.

(a) *Maximum prices for Architectural Tiling Company, New York, New York.*

(1) The above manufacturer may determine his maximum prices for his line of ceramic clay wall and floor tile by increasing by 18.6 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 592, in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increases provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.



(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 241 under Revised Supplementary Order No. 119 authorizes a 15.8 percent increase in October 1, 1941 net prices for sales of ceramic clay wall and floor tile manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 241.

(d) All requests for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9535; Filed, June 5, 1946;  
11:35 a. m.]

[SO 142, Order 129]

#### CHAMPION SHOE MACHINERY CO.

##### ESTABLISHMENT OF MAXIMUM PRICES

Order No. 129 under Supplementary Order No. 142, adjustment provisions for sales of industrial machinery and equipment. Champion Shoe Machinery Company. Docket No. 6083-SO 142-136-490.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 2 of Supplementary Order No. 142; it is ordered:

(a) The maximum prices for sales by Champion Shoe Machinery Company, St. Louis, Missouri, of its line of stitchers and parts therefor shall be determined as follows: The maximum prices for any of the above-described products, having a base date, shall be the applicable base date price increased by 20% of that price.

(b) The phrase in this order "base date price" shall mean a price frozen under the applicable regulation (by reference to published list prices, and to prices made during a defined period of time prior to a base date), except that for every product covered by this order the base date to be used for establishing a frozen price shall be October 1, 1941. The phrase does not include any price adjusted upward by industry-wide or individual adjustment orders.

(c) For any product for which a price is established under section 8 of Revised Maximum Price Regulation 136; 4 (d) (1) (i) of Maximum Price Regulation 67; 1361.53 of Maximum Price Regulation 264; or 1390.205 (d) of Maximum Price Regulation 351, the maximum price shall be computed under the appropriate provisions of the applicable regulation using the price computed under paragraph (a) of this order for the frozen priced product before change or modification.

(d) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the same percentage by which his net invoiced cost has been increased by reason of this order.

(e) The Champion Shoe Machinery Company, St. Louis, Missouri shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage by which his order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(f) All requests not granted herein are denied.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9536; Filed, June 5, 1946;  
11:35 a. m.]

[SO 142, Order 130]

#### CLARKE SANDING MACHINE CO.

##### ESTABLISHMENT OF MAXIMUM PRICES

Order No. 130 under Supplementary Order No. 142; adjustment provisions for sales of industrial machinery and equipment. Clarke Sanding Machine Company. Docket No. 6083-SO 142-136-410.

For the reasons set forth in an opinion issued simultaneously and filed with the Division of the Federal Register and pursuant to section 2 (c) of Supplementary Order No. 142, it is ordered:

(a) (1) The maximum list price for sales by the Clarke Sanding Machine Company, Muskegon, Michigan shall be as follows: subject to the discounts, allowances and other deductions in effect to a purchaser of the same class just prior to the issuance of this order:

Item:	Maximum list price
P-12 polisher.....	\$112.50
MV-8 floor sander.....	325.00
LV-8 floor sander.....	219.00
V-5 edger.....	127.00

(2) The maximum prices for sales of repair parts by the Clarke Sanding Machine Company, Muskegon, Michigan shall be determined as follows: The company shall increase the maximum list prices in effect just prior to the issuance of this order by 15% and shall deduct from the resultant maximum list prices all discounts, allowances and other deductions in effect just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a

purchaser of the same class, just prior to the issuance of this order by the percentage by which his net invoiced cost has been increased by reason of this order.

(c) The Clarke Sanding Machine Company shall notify each purchaser who buys the products listed in paragraph (a) above for resale of the percentage by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) This order revokes Order 520 under Revised Maximum Price Regulation 136, effective October 26, 1945.

(e) On or before November 15, 1946, the Clarke Sanding Machine Company shall file with the Machinery Branch, Office of Price Administration, Washington 25, D. C., a statement of sales for the April-September 1946 of the items listed in paragraph (a) and the dollar value of these sales maximum prices in effect just prior to the issuance of this order.

(f) All requests not granted herein are denied.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9537; Filed, June 5, 1946;  
11:35 a. m.]

[SO 142, Order 131]

#### OLIVER CORP.

##### ESTABLISHMENT OF MAXIMUM PRICES

Order No. 131 Under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. The Oliver Corporation. Docket No. 6083-136-673.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 142; it is ordered:

(a) The maximum prices for sales by The Oliver Corporation, 400 West Madison Street, Chicago 6, Illinois, of all its industrial power units, transmissions, crawler and industrial wheel tractors, and their repair parts, excluding farm implements and their repair parts, which are covered by any of the regulations listed in Supplementary Order No. 142, shall be determined by increasing by 17% the maximum prices for these products in effect just prior to September 28, 1945.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum prices he had in effect to a purchaser of the same class just prior to the issuance of this order, by the same percentage by which his net invoiced cost has been increased by reason of this order.



(c) The Oliver Corporation, shall notify each purchaser who buys the products listed in paragraph (a) above for resale of the percentage by which this order permits the reseller to increase his maximum net prices for these products. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9538; Filed, June 5, 1946;  
11:35 a. m.]

[SO 142, Order 132]

#### HICKOK ELECTRICAL INSTRUMENT CO.

##### ADJUSTMENT OF MAXIMUM PRICES

Order No. 132 under Supplementary Order No. 142, adjustment provisions for sales of industrial machinery and equipment. Hickok Electrical Instrument Company. Docket No. 6083-SO 142-136-251.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142, *It is ordered:*

(a) The maximum prices for sales by Hickok Electrical Instrument Company, Cleveland, Ohio, of all its products, manufactured by its Meter Division, shall be determined by increasing by 35.7% the maximum prices for these products in effect just prior to the issuance of this order.

(b) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the same percentage by which his net invoice cost has been increased by reason of this order.

(c) The Hickok Electrical Instrument Company shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage amount by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June, 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9539; Filed, June 5, 1946;  
11:36 a. m.]

[MPR 64, Amdt. 1 to Order 299]

#### WESTERN STOVE CO., INC.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64; *It is ordered:*

That Order No. 299 under Maximum Price Regulation 64 be amended in the following respect:

Paragraph (a) is amended to read as follows:

(a) This order establishes maximum prices for sales at retail of certain models of gas ranges listed below manufactured by the Western Stove Company, Inc., 3536 Hays Street, Culver City, California. For sales in each zone by retail dealers to ultimate consumers the maximum prices including the Federal excise tax, but not including any state or local taxes imposed at the point of sale are those set forth below:

Article and model	Maximum prices for sales to ultimate consumers—			
	Zone 1	Zone 2	Zone 3	Zone 4
Gas range:	Each	Each	Each	Each
E-596.....	\$196.75	\$200.25	\$202.25	\$207.75
F-44.....	80.50	82.75	84.25	87.50
G-91.....	189.95	192.95	194.75	199.50
G-45-L.M.....	164.50	166.95	168.50	172.50
J-45.....	143.50	145.95	147.25	150.95
J-45-L.....	148.95	151.50	152.95	156.75
JTS-45.....	166.25	168.95	170.50	174.50
JT-45.....	155.95	158.75	160.25	164.25
K-596.....	212.95	216.25	218.50	223.75
V-4-W.....	61.95	63.25	63.75	65.50
JT-45-TL.....	161.50	164.25	165.75	169.75
Bungalow range:				
K-44.....	168.50	171.25	173.25	177.50
K-44 with regulator.....	176.50	179.25	181.25	185.75
K-44-L with regulator.....	181.95	184.95	186.75	191.25
K-591.....	221.50	225.25	227.25	232.95

These prices include delivery and installation. If the retail dealer does not provide installation, he shall compute his maximum price by deducting \$9.00 in the case of bungalow ranges and \$6.00 in the case of gas ranges not of the bungalow type from the maximum price shown above for his sales on an installed basis. In all other respects these prices are subject to each seller's customary terms, discounts, allowances (other than trade-in allowances) and other price differentials in effect on sales of similar articles.

This amendment shall become effective on the 5th day of June 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9524; Filed, June 5, 1946;  
11:31 a. m.]

[SO 142, Order 133]

#### THOMAS & BETTS CO.

##### ADJUSTMENT OF MAXIMUM PRICES

Order No. 133 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment. The Thomas & Betts Company. Docket No. 6083-SO 142-136-318.

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register and pursuant to section 2 of Supplementary Order No. 142, *It is ordered:*

(a) The maximum prices for sales by The Thomas & Betts Company, Elizabeth, New Jersey, of its electrical hardware line shall be determined as follows: The maximum prices for any of the above described products, having a base date price, shall be the applicable base date price increased by 29.2%.

The phrase in this order "base date price" shall mean a price frozen under the provisions of section 7 of Revised Maximum Price Regulation No. 136, except that for every product covered by this order the base date to be used for establishing the frozen price shall be October 1, 1941. The phrase does not include any price adjusted upward by industry-wide or individual adjustment orders.

(b) For any products for which a price is established under section 8 of Revised Maximum Price Regulation No. 136 the maximum price shall be computed under that section using the price computed under paragraph (a) of this order for the frozen priced product before change or modification.

(c) The maximum prices for sales by resellers of the products described in paragraph (a) above shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the same percentage by which his net invoiced cost has been increased by reason of this order.

(d) The Thomas & Betts Company shall notify each purchaser, who buys the products listed in paragraph (a) above for resale of the percentage by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9540; Filed, June 5, 1946;  
11:36 a. m.]

[MPR 188, Amdt. 1 to Order 4809]

#### LUMINANT MFG. CO.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Section 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

That paragraph (a) (1) of Order No. 4809 under Maximum Price Regulation No. 188, be amended to read as follows:

(1) For all sales and deliveries to the following classes of purchasers by the



sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Vanity lamp (no shade)...	100	\$1.27	\$1.50	\$2.70
Vanity lamp (no shade)...	200	1.27	1.50	2.70
Table lamp and shade...	81	5.95	7.00	12.60
Muchroom desk lamp...	188	2.12	2.50	4.50
Torchiere and glass reflector...	145	9.30	10.95	19.70
3-way floor lamp and rayon shade...	145	8.30	9.75	17.55
3-way floor lamp without shade...	145	6.50	7.65	13.75
3-way floor lamp and rayon shade...	246	8.70	10.25	18.45
3-way floor lamp without shade...	246	6.75	7.95	14.30
Torchiere and glass reflector...	246	9.30	10.95	19.70
Torchiere without glass reflector...	246	7.25	8.53	15.35
3-way floor lamp and rayon shade...	146	9.30	10.95	19.70
3-way floor lamp without shade...	146	7.25	8.53	15.35
3-way torchiere 16" glass reflector...	245	8.45	9.95	17.90

These maximum prices are for the articles described in the manufacturer's application dated June 21, 1945.

This amendment shall become effective on the 6th day of June 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9526; Filed, June 5, 1946;  
11:33 a. m.]

[MPR 591, Order 568]

U. S. THERMO CONTROL CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Reach-In Freezer manufactured by the U. S. Thermo Control Company of Minneapolis, Minnesota, and as described in the application dated April 13, 1946, which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
No. 3F-40 Thermo ring, ¾ h. p. condensing unit.....	\$662.50	\$795	\$1,325

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to

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discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The U. S. Thermo Control Company of Minneapolis, Minnesota, shall stencil on the Reach-In Freezer covered by this order, substantially the following:

OPA Maximum Retail Price—\$1,325.00

Plus freight and crating as provided in Order No. 568 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9528; Filed, June 5, 1946;  
11:33 a. m.]

[MPR 591, Order 569]

KENDALL CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following frozen food display cabinet manufactured by The Kendall Company of Philadelphia, Pennsylvania and as described in the application dated February 26, 1946 which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
Model 246-K 18 cu. ft. ¾ h. p. condensing unit.....	\$423	\$508	\$846

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Kendall Company of Philadelphia, Pennsylvania shall stencil on the frozen food display cabinet covered by this order, substantially the following:

OPA Maximum Retail Price \$846.00

Plus freight and crating as provided in Order No. 569 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9529; Filed, June 5, 1946;  
11:33 a. m.]

[MPR 591, Order 570]

SECURITY CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) (1) The maximum net prices for sales by any person of the following sizes of rolled aluminum combination screen and storm windows manufactured by the Security Company, 1757 Puritan Avenue, Detroit 3, Michigan, and as described in the application dated May 17, 1946, which is on file with the Prefabrication and Mechanical Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be the list price per window opening set forth in (d).



(2) The maximum price on an installed basis on sales to consumers shall be the list price set forth in (d) below plus the actual cost of installation, in no event to exceed \$2.00 per window opening or the charge established in the appropriate area order, whichever is lower.

(b) The maximum net delivered prices on sales to dealers by any person shall be the list price set forth in (d) below reduced by 33 1/3 percent.

(c) The maximum net prices f. o. b. point of shipment on sales to distributors by any person shall be the list price set forth in (d) below reduced by successive discounts of 40 percent and 10 percent.

(d) Two-light aluminum combination storm sash and screen.

PRICE SCHEDULE—LIST PRICES

Window glass size	Unit price	Additional screen in-set	Extra glass in-set
14 x 15	\$16.15	\$2.46	\$3.04
16	16.41	2.50	3.12
18	16.89	2.61	3.26
20	17.39	2.70	3.41
21	17.63	2.76	3.48
22	17.87	2.81	3.55
24	18.37	2.90	3.70
26	18.89	3.00	3.84
28	19.37	3.11	3.99
30	19.87	3.20	4.14
32	20.37	3.29	4.28
34	20.87	3.38	4.42
36	21.37	3.47	4.56
38	21.86	3.56	4.70
40	22.36	3.65	4.84
42	22.86	3.74	4.98
16 x 15	16.54	2.55	3.20
18	16.80	2.61	3.27
20	17.33	2.70	3.43
21	17.55	2.81	3.59
22	17.81	2.87	3.67
24	18.35	2.90	3.75
26	18.89	3.02	3.91
28	19.41	3.13	4.06
30	19.92	3.22	4.22
32	20.44	3.33	4.38
34	20.96	3.44	4.54
36	21.48	3.55	4.70
38	22.00	3.66	4.86
40	22.52	3.77	5.02
42	23.04	3.88	5.18
18 x 15	16.95	2.65	3.35
18	17.22	2.70	3.43
20	17.76	2.79	3.60
21	18.30	2.90	3.77
22	18.85	3.02	3.94
24	19.39	3.13	4.11
26	19.92	3.24	4.28
28	20.48	3.35	4.45
30	21.02	3.44	4.62
32	21.57	3.57	4.79
34	22.12	3.69	4.96
36	22.67	3.81	5.13
38	23.22	3.92	5.30
40	23.77	4.04	5.47
42	24.32	4.16	5.64
20 x 15	17.33	2.74	3.59
16	17.63	2.79	3.67
18	18.20	2.90	3.77
20	18.76	3.02	3.96
21	19.04	3.07	4.05
22	19.33	3.13	4.14
24	19.91	3.24	4.32
26	20.46	3.35	4.50
28	21.03	3.46	4.68
30	21.61	3.57	4.87
32	22.16	3.68	5.05
34	22.71	3.79	5.23
36	23.26	3.90	5.41
38	23.81	4.01	5.59
40	24.36	4.12	5.77
42	24.91	4.23	5.95
22 x 15	17.74	2.81	3.65
16	18.02	2.89	3.75
18	18.65	3.00	3.95
20	19.22	3.11	4.14
21	19.52	3.16	4.24
22	19.81	3.24	4.33
24	20.41	3.35	4.53
26	20.98	3.46	4.72
28	21.57	3.57	4.91
30	22.18	3.70	5.11
32	22.77	3.81	5.30
34	23.36	3.93	5.49
36	23.95	4.05	5.68
38	24.54	4.16	5.87
40	25.13	4.28	6.06
42	25.72	4.39	6.25

PRICE SCHEDULE—LIST PRICES—Continued

Window glass size	Unit price	Additional screen in-set	Extra glass in-set
24 x 15	\$18.13	\$2.90	\$3.81
16	18.44	2.98	3.91
18	19.06	3.09	4.11
20	19.67	3.22	4.32
21	19.98	3.27	4.42
22	20.28	3.33	4.53
24	20.91	3.46	4.73
26	21.51	3.57	4.94
28	22.13	3.70	5.14
30	22.74	3.83	5.35
32	23.37	3.94	5.56
34	24.00	4.05	5.76
36	24.63	4.17	5.92
38	25.26	4.28	6.11
40	25.89	4.39	6.30
42	26.52	4.50	6.49
26 x 15	18.54	3.00	3.96
16	18.85	3.07	4.06
18	19.48	3.18	4.28
20	20.15	3.31	4.50
21	20.44	3.39	4.61
22	20.78	3.44	4.72
24	21.40	3.57	4.94
26	22.05	3.70	5.16
28	22.63	3.83	5.38
30	23.33	3.94	5.59
32	23.93	4.07	5.81
34	24.63	4.20	6.02
36	25.28	4.33	6.23
38	25.97	4.45	6.44
40	26.66	4.58	6.65
42	27.35	4.70	6.86
27 x 15	18.72	3.05	4.03
16	19.06	3.11	4.15
18	19.70	3.24	4.37
20	20.35	3.37	4.59
21	20.68	3.44	4.71
22	21.02	3.50	4.82
24	21.66	3.63	5.04
26	22.31	3.76	5.27
28	22.96	3.89	5.49
30	23.62	4.01	5.71
32	24.27	4.14	5.94
34	24.92	4.27	6.16
36	25.57	4.40	6.38
38	26.22	4.53	6.60
40	26.87	4.66	6.82
42	27.52	4.79	7.04
28 x 15	18.93	3.09	4.11
16	19.28	3.16	4.22
18	19.92	3.29	4.45
20	20.59	3.42	4.68
21	20.92	3.48	4.80
22	21.26	3.55	4.91
24	21.90	3.68	5.14
26	22.57	3.81	5.38
28	23.24	3.94	5.61
30	23.92	4.07	5.84
32	24.57	4.20	6.07
34	25.22	4.33	6.30
36	25.87	4.46	6.53
38	26.52	4.59	6.76
40	27.17	4.72	6.99
42	27.82	4.85	7.22
30 x 15	19.33	3.18	4.26
16	19.67	3.26	4.38
18	20.35	3.39	4.63
20	21.03	3.52	4.87
21	21.39	3.59	4.99
22	21.74	3.66	5.11
24	22.42	3.79	5.35
26	23.11	3.92	5.59
28	23.79	4.05	5.84
30	24.49	4.20	6.08
32	25.18	4.33	6.32
34	25.87	4.46	6.56
36	26.56	4.59	6.80
38	27.25	4.72	7.04
40	27.94	4.85	7.28
42	28.63	4.98	7.52
32 x 15	19.72	3.22	4.41
16	20.07	3.35	4.54
18	20.79	3.48	4.80
20	21.50	3.63	5.05
21	21.85	3.68	5.18
22	22.20	3.76	5.30
24	22.92	3.90	5.56
26	23.64	4.04	5.81
28	24.35	4.18	6.07
30	25.05	4.32	6.32
32	25.77	4.46	6.58
34	26.49	4.60	6.84
36	27.21	4.74	7.10
38	27.94	4.88	7.36
40	28.67	5.02	7.62
42	29.40	5.16	7.88
34 x 15	20.11	3.37	4.57
16	20.50	3.44	4.70
18	21.22	3.57	4.97
20	21.96	3.72	5.23
21	22.33	3.79	5.37
22	22.68	3.87	5.50
24	23.44	4.01	5.76
26	24.16	4.14	6.03
28	24.90	4.29	6.30
30	25.62	4.44	6.56
32	26.34	4.59	6.83
34	27.14	4.74	7.10

PRICE SCHEDULE—LIST PRICES—Continued

Window glass size	Unit price	Additional screen in-set	Extra glass in-set
34 x 36	\$27.90	\$4.89	\$7.37
38	38.21	6.72	10.19
40	39.23	6.92	10.50
42	40.24	7.12	10.91
36 x 15	20.32	3.46	4.72
16	20.89	3.53	4.80
18	21.66	3.68	5.14
20	22.42	3.83	5.41
21	22.79	3.90	5.55
22	23.16	3.98	5.69
24	23.94	4.13	5.97
26	24.70	4.27	6.25
28	25.46	4.42	6.53
30	26.21	4.57	6.81
32	26.97	4.72	7.09
34	27.73	4.87	7.37
36	28.49	5.02	7.65
38	29.25	5.17	7.93
40	30.01	5.32	8.21
42	30.77	5.47	8.49
38 x 15	21.71	4.35	5.60
16	22.09	4.43	5.74
18	22.89	4.57	5.89
20	23.67	4.72	6.18
21	24.05	4.80	6.47
22	24.44	4.87	6.76
24	25.22	5.04	7.05
26	26.03	5.14	7.34
28	26.81	5.33	7.63
30	27.59	5.48	7.92
32	28.38	5.63	8.21
34	29.17	5.78	8.50
36	29.97	5.93	8.79
38	30.76	6.08	9.08
40	31.55	6.23	9.37
42	32.34	6.38	9.66
40 x 15	23.15	4.43	6.06
16	23.61	4.52	6.27
18	24.53	4.67	6.70
20	25.50	4.83	7.13
21	25.94	4.91	7.35
22	26.42	4.98	7.56
24	27.35	5.15	7.99
26	28.27	5.30	8.42
28	29.22	5.46	8.85
30	30.16	5.61	9.28
32	31.10	5.78	9.71
34	32.04	5.93	10.14
36	32.98	6.08	10.57
38	33.92	6.23	11.00
40	34.86	6.38	11.43
42	35.80	6.53	11.86
42 x 15	23.55	4.52	6.20
16	24.03	4.60	6.42
18	25.00	4.76	6.87
20	25.97	4.95	7.32
21	26.45	5.01	7.54
22	26.93	5.09	7.77
24	27.90	5.25	8.22
26	28.86	5.41	8.66
28	29.83	5.57	9.11
30	30.80	5.74	9.56
32	31.76	5.90	10.01
34	32.73	6.06	10.46
36	33.70	6.22	10.91
38	34.67	6.38	11.36
40	35.64	6.54	11.81
42	36.61	6.70	12.26
44 x 15	23.94	4.61	6.34
16	24.42	4.70	6.58
18	25.42	4.87	7.04
20	26.42	5.04	7.51
21	26.92	5.11	7.75
22	27.42	5.20	7.98
24	28.42	5.36	8.45
26	29.42	5.54	8.92
28	30.42	5.70	9.39
30	31.42	5.87	9.86
32	32.42	6.04	10.33
34	33.42	6.20	10.80
36	34.42	6.36	11.27
38	35.42	6.52	11.74
40	36.42	6.68	12.21
42	37.42	6.84	12.68
46 x 15	24.33	4.70	6.48
16	24.84	4.79	6.72
18	25.87	4.96	7.21
20	26.90	5.13	7.70
21	27.42	5.21	7.95
22	27.93	5.30	8.19
24	28.96	5.47	8.69
26	30.00	5.64	9.17
28	31.02	5.81	9.66
30	32.05	5.99	10.15
32	33.08	6.16	10.64
34	34.11	6.33	11.13
36	35.14	6.50	11.62

The above prices include frame, 2-glass inserts, one screen insert, and removable sill.

(e) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.



(f) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(g) The Security Company, Detroit, Michigan, shall attach a tag to each item covered by this order containing substantially the following:

OPA Maximum Retail Price—\$-----

Actual installation charge not exceeding \$2.00 per window or charge established in appropriate area order, whichever is lower.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9530; Filed, June 5, 1946;  
11:34 a. m.]

[MPR 591, Order 571]

PHILCO CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following home freezers manufactured by the Philco Corporation of Philadelphia, Pennsylvania, and as described in the application dated May 24, 1946, which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumers
AH-25, 2.5 cu. ft.	\$100.00	\$106.15	\$149.50
AH-51, 5 cu. ft.	125.00	135.76	199.95

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5
<b>Model AH-25</b>					
Zone price factory list	\$149.50				
Distributor adds to above dealer billing for freight		\$2.50	\$3.50	\$4.50	\$6.00
Dealer adds for freight		2.50	3.50	4.50	6.00
Dealer adds for installation		2.50	3.00	3.50	4.00
Total to be added by dealer for freight and installation		5.00	6.50	8.00	10.00
<b>Model AH-51</b>					
Zone price factory list	199.95				
Distributor adds to above dealer billing for freight		2.50	3.50	4.50	6.00
Dealer adds for freight		2.50	3.50	4.50	6.00
Dealer adds for installation		2.50	3.00	3.50	4.00
Total to be added by dealer for freight and installation		5.00	6.50	8.00	10.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Philco Corporation of Philadelphia, Pennsylvania, shall stencil in a convenient place on the home freezers covered by this order, substantially the following:

OPA Maximum Retail Price Uninstalled—\$-----

Plus freight, crating and installation as provided in Order No. 571 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 6, 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9531; Filed, June 5, 1946;  
11:34 a. m.]

[MPR 599, Amdt. 2 to Order 12]

FORD MOTOR CO.

#### APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 599; *It is ordered,* That Order No. 12 under section 11 of Maximum Price Regulation No. 599 be amended in the following respects:

1. Paragraph (b) is amended to read as follows:

(b) The ceiling prices for sales by the Ford Motor Company and its dealers, of the radios listed below, are the prices set forth opposite each radio for sale to each

class of purchaser under the terms and conditions of sale specified.

Model No.	Ceiling prices to dealers—		Ceiling prices to consumers—	
	Uninstalled	Installed	Uninstalled	Installed
51A-18800-A1	\$33.90	\$36.99	\$48.69	\$51.69
5EH-18805-A or B	37.70	41.45	52.08	55.83
51AF-18805-A1	56.50	61.50	73.06	78.06

These ceiling prices are subject to the same terms and conditions of sale including provisions for transportation charges to which ceiling prices of extra or optional equipment or accessories sold by the Ford Motor Company are subject under the provisions of Maximum Price Regulation No. 594, 452, 453 and orders thereunder. Ceiling prices for the Model 51A-18800-A1 radio on an installed basis include the price of the antenna and the installation charges for installation of both the radio and the antenna. Ceiling prices on an uninstalled basis cover the radio and antenna. Ceiling prices for the Model 5EH-18805-A or B radio on an installed basis are for the radio alone, but these prices include installation charges for both the radio and antenna which may be installed at the same time. Ceiling prices for the radio on an uninstalled basis are for the radio alone. Ceiling prices for the Model 51AF-18805-A1 on an installed basis include the price of the antenna and short wave converter and the installation charges for installation of the radio, antenna and short wave converter. Ceiling prices on an uninstalled basis cover the radio, antenna and short wave converter.

2. A new sub-paragraph (3) is added to paragraph (e) to follow paragraph (2) and to read as follows:

(3) Model 51AF-18805-A1 is a 6 tube, 1 band, battery power radio with a 6" x 9" electro-dynamic speaker, all in a metal case 4½" x 8¾" x 5⅝", designed for installation in an automobile manufactured by the Ford Manufacturing Company.

This amendment shall become effective on the 6th day of June 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9532; Filed, June 5, 1946;  
11:34 a. m.]

[Rev. SO 119, Order 243]

MOSLER SAFE CO.

#### ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* The Mosler Safe Company, Hamilton, Ohio, may compute its adjusted ceiling prices for all metal safes and insulated record containers which it manufactures, as follows:



(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by the following percentages:

For sales to:	Percentage increase
Distributors	17.8
Dealers	15.6
At retail	12.0

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

In all other respects, the provisions of Order No. 11 under § 1499.159e, of Maximum Price Regulation No. 188, including invoicing and reporting provisions and determination of reseller's prices, apply to maximum prices adjusted in accordance with this order.

(b) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator or at any time.

(c) *Effective date.* This order shall become effective on the 5th day of June 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9559; Filed, June 5, 1946;  
4:41 p. m.]

[MPR, 599, Order 21]

SCOTT RADIO LABORATORIES, INC.

ESTABLISHMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Maximum Price Regulation No. 599, it is ordered:

(a) *Manufacturer's ceiling prices.* Notwithstanding the provisions of any price regulation to the contrary, Scott Radio Laboratories, Incorporated, 4541 Ravenswood Avenue, Chicago 40, Illinois, may sell and deliver to any "dealer assembler" the articles set forth below only in groups (consisting of one cabinet, one record changer and one Scott 2 unit radio chassis per group) at prices not in excess of the sum of the prices set forth adjacent to the description of the articles comprising the group.

Article	Ceiling price
Chippendale Console wood cabinet, Model No. 11-B-499 dimensions, 22½" x 38½" x 43½"	\$134.27
Modern Console wood cabinet Bisque Finish, Model No. 11-B-496 dimensions, 21½" x 36½" x 41½"	139.32
Modern Console wood cabinet lacquer finish, Model No. 11-B-497 dimensions, 21½" x 36½" x 41½"	153.24
Garrard automatic intermixing record changer, Model No. 66B-488-60DM	48.44
Scott radio chassis consisting of 2 units, 24 tubes, AC, 2 AM bands, 1 FM band, 15" EM and 5" EM speakers, slide rule dial, bath tub condensers, 12 push buttons for automatic tuning, underwriter approved, but less instrument panel.	358.10

The above ceiling prices are f. o. b. factory exclusive of Federal excise tax.

(b) *Retail ceiling prices.* Notwithstanding the provisions of any price regulation to the contrary, any "dealer assembler" who purchases from Scott Radio Laboratories, Incorporated, the articles set forth below may sell and deliver them only as assembled units (consisting of the 2 unit Scott radio chassis, the Garrard automatic intermixing record changer and one of the cabinets) at prices not in excess of the sum of the prices set forth adjacent to the description of the articles which make up the assembled unit.

Article	Ceiling price
Chippendale Console wood cabinet, Model No. 11-B-499, dimensions, 22½" x 38½" x 43½"	\$234.95
Modern Console wood cabinet, Bisque finish, Model No. 11-B-496, dimensions, 21½" x 36½" x 41½"	243.81
Modern Console wood cabinet, lacquer finish, Model No. 11-B-497, dimensions, 21½" x 36½" x 41½"	268.17
Garrard automatic intermixing record changer, Model No. 66B-488-60DM	84.77
Scott radio chassis consisting of 2 units 24 tubes, AC, 2 AM bands, 1 FM band, 15" EM and 5" EM speakers, slide rule dial, bath tub condensers 12 push buttons for automatic tuning, underwriter approved, but less instrument panel.	687.55

The above are delivered prices in Zone 1 and include the Federal excise tax. For delivery in Zone II, 5 percent may be added to these prices.

(c) *Definitions.* As used in this order:

(1) "Dealer assembler" means a person who purchases the articles subject to this order from Scott Radio Laboratories, Incorporated, in groups for resale as assembled units.

(2) "Assembled unit" means an assembly consisting of a 2 unit Scott radio chassis, a Garrard automatic intermixing record changer and one of the cabinets listed in paragraphs (a) and (b) of this order.

(3) Zone I and Zone II shall have the same meaning that they have in MPR No. 599.

(d) *Retail price tags.* No "dealer assembler" may display, offer for sale, sell or deliver at retail any article covered by this order unless there is attached to the article in a conspicuous place a tag or label provided by Scott Radio Laboratories, Incorporated, which contains the following:

(1) A description of the article in the same language as is used in this order.

(2) The retail ceiling price in the zone in which the article will be sold and delivered, or the retail ceiling price in each zone and a description of the area included by each zone in the terms used in Maximum Price Regulation No. 599.

(3) A statement that the retail ceiling price includes the Federal excise tax and that this price applies only if the article is sold and delivered as part of an assembled unit.

(4) The definition of an "assembled unit" set forth in this order.

(e) *Relation of this order to other orders and regulations.* The provisions of such other regulations and orders as may be applicable shall govern the ceiling prices for all sales and deliveries of the articles subject to this order except such sales and deliveries as are specifically covered by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 5th day of June 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9558; Filed, June 5, 1946;  
4:41 p. m.]

[Rev. SO 119, Order 244]

AMERICAN FIXTURE & MFG. CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* American Fixture & Manufacturing Company, 2300 Locust Blvd., St. Louis, Missouri may compute its adjusted ceiling prices for sales of metal commercial furniture which it manufactures as follows:

(1) For an article in its line during October 1941, the adjusted ceiling prices are the highest prices charged during that month to each class of purchaser increased by 20.0 percent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.



(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) In all other respects, the provisions of Order No. 11 under § 1499.159c of Maximum Price Regulation No. 188 shall apply to all sales and deliveries of metal commercial furniture manufactured by The American Fixture and Manufacturing Company.

(c) The provisions of Supplementary Order No. 153 shall not apply to sales of articles covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 5th day of June 1946.

Issued this 5th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9560; Filed, June 5, 1946;  
4:41 p. m.]

[RMPR 320, Order 8]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

ADJUSTMENT OF MAXIMUM PRICES

A petition has been filed with the Office of Price Administration requesting an increase in maximum prices for containers subject to Revised Maximum Price Regulation No. 320—Eastern and Central Wooden Agricultural Containers. A study of the industry's operations under the regulation is now in progress. It has been shown that authorization to use adjustable pricing pending a final analysis of and action with reference to the data presented is necessary to promote production and distribution of the commodities involved. This action is taken pending final action by this Office in order to remove any possible interference with the vitally important food program. The issuance of this order will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Therefore, under the authority vested in the Price Administrator and pursuant to section 11 of Revised Maximum Price Regulation No. 320, *It is ordered:*

(a) Producers of containers subject to Revised Maximum Price Regulation 320 by agreement with purchasers other than wholesalers and dealers may sell and deliver such containers at prices to be adjusted in accordance with action to be taken by the Office of Price Administration after delivery.

(b) Pending final action to be taken by the Office of Price Administration with reference to the current analysis of the industry's operations, producers shall not make any collections on account of the containers delivered under such agreement which are in excess of the presently existing maximum prices in Revised Maximum Price Regulation No. 320.

(c) This order shall be automatically revoked by the action taken by the Office

of Price Administration with reference to the current analysis of the industry's operations.

This order shall become effective June 6, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9602; Filed, June 6, 1946;  
11:44 a. m.]

[RMPR 528, Order 116]

FIRESTONE TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following new sizes of tires and tubes manufactured by The Firestone Tire & Rubber Company, Akron, Ohio, shall be:

Size	Ply	Type	Maximum retail price, each	
			Tire	Tube
6.00-6...	2	Industrial Pneumatic.....	\$14.05	\$2.50
7.00-22...	4	Small and Garden Tractor ANS tread.....	26.65	4.10

(b) All provisions of RMPR 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9603; Filed, June 6, 1946;  
11:41 a. m.]

[RMPR 528, Order 117]

FIRESTONE TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for the following new size Aircraft tire and tube, shall be:

Size	Ply	Type	Maximum retail price, each	
			Tire	Tube
15.50-20.....	12	Aircraft.....	\$184.85	\$30.60

(b) All provisions of RMPR 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9604; Filed, June 6, 1946;  
11:41 a. m.]

[MPR 592, Amdt. 42 to Order 1]

SHEATHING

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 7.15 is amended to read as follows:

SEC. 7.15 *Modification of maximum prices for 25/32" asphalt coated or impregnated insulating sheathing.* (a) The manufacturer's net maximum prices to his various classes of purchasers for 25/32" asphalt coated or impregnated insulating sheathing established pursuant to Maximum Price Regulation 592 may be increased by an amount not in excess of \$4.00 per M square feet of surface area.

(b) Any reseller purchasing 25/32" asphalt coated or impregnated insulating sheathing for resale in the same form from any manufacturer who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in paragraph (a) above. However, notwithstanding the provisions of this paragraph in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

This Amendment No. 42 shall be effective as of May 3, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9616; Filed, June 6, 1946;  
11:38 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following order under Revised General Order 71 was filed with the Division of the Federal Register May 27, 1946.

Region IX

Hawaii Order 9, covering fresh fruits and vegetables imported from the Mainland. Filed 9:34 a. m.

Copy of this order may be obtained from the OPA Office in the territory of Hawaii.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-9561; Filed, June 5, 1946;  
4:41 p. m.]



## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register June 4, 1946.

## Region V

Dallas Order 4-F, Amendment 44 covering fresh fruits and vegetables in Dallas county, Texas. Filed 10:03 a. m.

Dallas Order 6-F, Amendment 33, covering fresh fruits and vegetables in McLennan county, Texas. Filed 10:03 a. m.

Dallas Order 8-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:04 a. m.

Dallas Orders 4-C and 10-O, covering poultry and eggs in the cities of Dallas & University Park and Town of Highland Park, Texas. Filed 10:04 a. m.

Fort Worth Order 13-F, Amendment 47, covering fresh fruits and vegetables in Tarrant county, Texas. Filed 10:04 a. m.

Fort Worth Order 19-F, Amendment 34, covering fresh fruits and vegetables in Taylor, Tom Green and Wichita counties, Texas. Filed 10:05 a. m.

Fort Worth Order 23-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:02 a. m.

Fort Worth Order 25-F, Amendment 3, covering fresh fruits and vegetables in Brown, Eastland, Haskell and Jones counties, Texas. Filed 10:02 a. m.

Fort Worth Order 26-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:02 a. m.

Fort Worth Orders 5-C and 1-O, covering poultry and eggs in Tarrant county, Texas. Filed 10:02 a. m.

Kansas City Order 4-F, Amendment 46, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas, Jackson county, Missouri and the city of North Kansas City, Missouri. Filed 10:02 a. m.

## Region VI

Des Moines Order 25, Amendment 5, covering dry groceries in Iowa except Lyon and Osceola counties. Filed 10:07 a. m.

Des Moines Orders 5-O and 6-O, covering dry groceries sold by Groups 1, 2, 3, and 4 stores in the Des Moines area. Filed 10:07 a. m.

Des Moines Orders 7-O and 8-O, covering dry groceries sold by Groups 1, 2, 3, and 4 stores in the Des Moines area. Filed 10:07 and 10:08 a. m.

Fargo Order 4-F, Amendment 2, covering fresh fruits and vegetables in Cass county, North Dakota and Clay county, Minnesota. Filed 10:08 a. m.

Fargo Order 41, Amendment 4, covering dry groceries in certain cities in North Dakota. Filed 10:08 a. m.

Fargo Order 42, Amendment 4, covering dry groceries in certain areas in North Dakota. Filed 10:05 a. m.

Fargo Order 43, Amendment 5, covering dry groceries in certain areas in North Dakota. Filed 10:05 a. m.

Fargo Order 44, Amendment 5, covering dry groceries in certain areas in North Dakota. Filed 10:05 a. m.

Fargo Order 7-W, Amendment 4, covering dry groceries in the cities of Bismarck, Mandan, and Minot, North Dakota. Filed 10:05 a. m.

Fargo Order 8-W, Amendment 4, covering dry groceries in the cities of Fargo and Grand Forks, North Dakota and Moorhead, Minnesota. Filed 10:05 a. m.

Green Bay Order 7-F, Amendment 32, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 10:06 a. m.

Green Bay Order 8-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 10:06 a. m.

Green Bay Order 9-F, Amendment 32, covering fresh fruits and vegetables in the counties of Florence, Forest and Marinette, Wisconsin. Filed 10:06 a. m.

Green Bay Order 12-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 10:06 a. m.

Green Bay Order 13-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 10:06 a. m.

Omaha Order 15-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Nebraska and the city of Council Bluffs, Iowa. Filed 10:06 a. m.

Omaha Order 16-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 10:06 a. m.

Omaha Order 17-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Nebraska. Filed 10:06 a. m.

Sioux Falls Order 5-F, Amendment 18, covering fresh fruits and vegetables in the county of Minnehaha, South Dakota. Filed 10:06 a. m.

St. Paul Order 3-F, Amendment 34, covering fresh fruits and vegetables in Duluth & Proctor, Minnesota and Superior, Wisconsin. Filed 10:02 a. m.

St. Paul Order 7-F, Amendment 18, covering fresh fruits and vegetables in certain counties in Minnesota. Filed 10:03 a. m.

St. Paul Order 8-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Minnesota. Filed 10:03 a. m.

St. Paul Order 3-C, Amendment 12, covering poultry in certain areas in Minnesota. Filed 10:03 a. m.

St. Paul Order 3-O, Amendment 3, covering eggs in certain areas in Minnesota. Filed 10:03 a. m.

Springfield Order 24-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Illinois. Filed 10:07 a. m.

Twin Cities Order 4-C, Amendment 7, covering poultry in the cities of Duluth and Proctor in St. Louis county, Minnesota. Filed 10:03 a. m.

## Region VII

Denver Order 9-F, Amendments 8 and 9, covering fresh fruits and vegetables in the Grand Junction area. Filed 10:11 a. m.

Denver Order 10-F, covering fresh fruits and vegetables in Fort Morgan, Sterling, Akron area. Filed 10:14 a. m.

Denver Order 82, Amendment 11, covering dry groceries in the Denver area. Filed 10:14 a. m.

Denver Order 83, Amendment 11, covering dry groceries in the Colorado Springs - Pueblo - Trinidad area. Filed 10:14 a. m.

Denver Order 93, Amendment 10, covering dry groceries sold by Group 4 stores in the Group 4 area No. 1. Filed 10:14 a. m.

Denver Order 94, Amendment 11, covering dry groceries sold by Group 4 stores in the Group 4 area No. 2. Filed 10:15 a. m.

Denver Order 12-W, Amendment 14, covering dry groceries in the Denver area. Filed 10:15 a. m.

Denver Order 13-W, Amendment 14, covering dry groceries in the Colorado Springs - Pueblo - Trinidad area. Filed 10:15 a. m.

Denver Order 14-W, Amendment 14, covering dry groceries in the Grand Junction area. Filed 10:15 a. m.

Denver Order 15-W, Amendment 12, covering dry groceries in the Durango area. Filed 10:15 a. m.

Helena Order 63-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 10:09 a. m.

Helena Order 64-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 10:09 a. m.

Helena Order 65-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 10:10 a. m.

Helena Order 66-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Montana. Filed 10:10 a. m.

Helena Order 67-F, Amendment 4, covering fresh fruits and vegetables in the Billings, Butte, and Great Falls area. Filed 10:10 a. m.

Helena Orders 109 and 15-W, Amendment 3, covering dry groceries for Billings, Butte, and Great Falls. Filed 10:09 a. m.

## Region VIII

Arizona Order 1-F, Amendment 43, covering fresh fruits and vegetables in the Phoenix area. Filed 10:18 a. m.

Arizona Order 10-F, Amendment 39, covering fresh fruits and vegetables in the Tucson area. Filed 10:18 a. m.

Arizona Order 11-F, Amendment 38, covering fresh fruits and vegetables in the Cochise area. Filed 10:18 a. m.

Spokane Order 21-F, Amendment 17, covering fresh fruits and vegetables in certain areas of Shoshone and Kootenai counties, Idaho. Filed 10:19 a. m.

Spokane Order 20-F, Amendment 18, covering fresh fruits and vegetables in certain areas of Spokane county, Washington and Kootenai county, Idaho. Filed 10:18 a. m.

Spokane Order 21-F, Amendments 17 and 18, covering fresh fruits and vegetables in certain areas of Shoshone county, Washington and Kootenai county, Idaho. Filed 10:18 a. m. and 10:09 a. m.

Spokane Order 22-F, Amendments 17 and 18, covering fresh fruits and vegetables in certain areas of Shoshone county, Washington and Kootenai county, Idaho. Filed 10:18 a. m. and 10:09 a. m.



tables in certain areas of Latah county, Idaho and Whitman county, Washington. Filed 10:19 and 10:16 a. m.

Spokane Order 23-F, Amendments 17 and 18, covering fresh fruits and vegetables in certain areas of Asotin county, Washington and Nez Perce county, Idaho. Filed 10:19 and 10:16 a. m.

Spokane Order 24-F, Amendments 17 and 18, covering fresh fruits and vegetables in certain areas of Columbia, Walla Walla, Benton and Franklin counties, Washington. Filed 10:19 and 10:16 a. m.

Spokane Order 50, Amendment 2, covering dry groceries in certain areas in Washington. Filed 10:16 a. m.

Spokane Order 53, Amendment 2, covering dry groceries in certain areas in Washington. Filed 10:17 a. m.

Spokane Order 54, Amendment 2, covering dry groceries in certain areas in Washington. Filed 10:17 a. m.

Spokane Orders 8-W and 51, Amendment 2, covering dry groceries in certain areas in Washington. Filed 10:16 a. m.

Spokane Orders 52 and 9-W, Amendment 2, covering dry groceries in certain areas in Washington. Filed 10:17 a. m.

Spokane Orders 10-W and 55, Amendment 2, covering dry groceries in certain areas in Washington. Filed 10:17 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-9562; Filed, June 5, 1946;  
4:42 p. m.]

[Region VII Order G-21 Under Gen. Order 68]  
**BUILDING AND CONSTRUCTION MATERIALS IN  
BOISE, IDAHO, AREA**

Order No. G-21 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Boise, Idaho, Area. Docket No. 7-GO 68-21.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

**SECTION 1. What this order does.** This Order No. G-21 under General Order 68 covers all retail sales by any seller, located in the Boise, Idaho area, herein designated as Idaho Building Materials Area No. 1, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Boise, Idaho area, for the purposes of this order includes all of the City of Boise, and Ada County, Idaho.

**SEC. 2. Definitions.** For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered

to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

**SEC. 3. Relation to other regulations.** The maximum prices established by this Order No. G-21 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

**SEC. 4. Authorized maximum prices.** Upon and after the effective date of this Order No. G-21, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

**SEC. 5. Delivery practices.** (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by Section 8 of this order.

**SEC. 6. Discounts and allowances.** Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

**SEC. 7. Availability of order.** Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Boise District Office of the Office of Price Administration.

**SEC. 8. Sales slips and records.** (a) Every seller covered by this order who

has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

**SEC. 9. Prohibitions against sales at higher than maximum prices.** On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

**SEC. 10. Evasions.** (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the



amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. *Less than maximum prices.* Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Revocation or amendment.* This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-21 shall become effective May 22, 1946.

Issued this 8th day of May 1946.

RICHARD Y. BATTERTON,  
Regional Administrator.

TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
<b>Cement:</b>	
Portland—paper sacks, per sack	\$1.05
Portland—cloth sacks, per sack	1.20
Quick-Strength, per sack	1.50
Waterproof, per sack	1.50
Kcene, per sack	3.00
Atlas or Duro White, per sack	4.50
Atlas or Duro White, Waterproof, per sack	4.75
Mortar: Masonry—paper sack, per sack	1.35
<b>Lime:</b>	
Lump lime, 90-lb. sack	2.50
Lump lime, 180-lb. drum	4.80
Finishing—Ohio hydrated, 50 lbs. sack	1.20
Finishing—Ohio hydrated, 10-lb. sack	.35
Hydrated—Colorado, 50-lb. sack	1.00
Hydrated—Missouri, 50-lb. sack	1.00
Pebble, 60-lb. sack	1.60
Pebble, 80-lb. sack	2.00
Pebble, 90-lb. sack	2.25
Quick-pulverized (Verifat and Cheshire):	
60-lb. sack	1.65
80-lb. sack	2.25
90-lb. sack	2.50
180-lb. drum	5.00
<b>Plaster:</b>	
Hardwall, per 100-lb. sack	1.25
Plaster paris—white, per 100-lb. sack	1.50
Gauging, moulding, and casting, per 100-lb. sack	1.50
Ready mixed finishing plaster, per 100-lb. sack	1.95
Less than full sack quantities, per lb.	.02
<b>Calcium chloride:</b>	
Used for building purposes, per cwt. 100-lb. sack	5.00
Less than 100 lb. quantities, per lb.	.065

TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASINGS

Item and unit	Maximum retail selling prices
<b>Lath:</b>	
Gypsum, per M sq. ft.	\$33.00
Metal lath—flat diamond mesh:	
2.5-lb. painted, sq. yd.	.375
3.4-lb. painted, sq. yd.	.395
3.4-lb. galvanized, sq. yd.	.435
NOTE: Add for metal lath—self furring—1¢ per yd. over flat diamond mesh.	
Metal lath—flat rib: 3.4-lb. painted, sq. yd.	.40
Metal—high rib: 3.4 3/8" painted, sq. yd.	.40
NOTE: For copper bearing lath, add 1¢ per sq. yd.	
<b>Corner bead:</b>	
Expanded type, M lin. ft.	65.00
Flat apron, M lin. ft.	45.00
3/4" bull nose plain, M lin. ft.	60.00
All expansion casing: 1/4-round (bull nose—O. G. or square edge), M lin. ft.	105.00
Corner lath, M lin. ft.	35.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling prices
<b>Insulation board:</b>	
1/2", per M sq. ft.	\$55.00
3/8", per M sq. ft.	45.00
<b>Insulation tile:</b>	
Under 16 x 32 x 1/2, per M sq. ft.	70.00
16 x 32 x 1/2 and over, per M sq. ft.	65.00
Insulation plank: 1/2", per M sq. ft.	70.00
<b>Insulation board ext. type:</b>	
1/2" ext. sheeting, per M sq. ft.	57.50
25/32" ext. sheeting, per M sq. ft.	70.00
<b>Insulation lath: 1/2"—16 x 48—18 x 48—24 x 48, per M sq. ft.</b>	55.00
<b>Balsam wool sealed blankets:</b>	
Standard, per M sq. ft.	55.00
Double thick, per M sq. ft.	75.00
Wall thick, per M sq. ft.	105.00
<b>Kimsul insulation:</b>	
Commercial 1/2", per M sq. ft.	—
Standard 1", per M sq. ft.	45.00
Double thick 2", per M sq. ft.	55.00
Double thick 3", per M sq. ft.	72.00
<b>Mineral wool insulation:</b>	
Semi-thick batts 15 x 48", per M sq. ft.	65.00
Full-thick batts 15 x 48", per M sq. ft.	90.00
Handi-batts full thick 15 x 24", per M sq. ft.	90.00
Jr. batts 11 1/2 x 15", per M sq. ft.	90.00
<b>Mineral wool blankets:</b>	
1", per M sq. ft.	60.00
2", per M sq. ft.	75.00
3", per M sq. ft.	90.00
<b>Nodulated and loose wool in sacks:</b>	
35 lb., per sack	1.85
38 lb., per sack	2.00
40 lb., per sack	2.10
Expanded Mica: per sack of 4 cu. ft.	1.29
<b>Building paper:</b>	
Red resin—20 lb., per roll	1.40
Red resin—30 lb., per roll	2.10
Red resin—40 lb., per roll	2.80
Sisalkraft, per hundred sq. ft.	1.25
<b>Presswood:</b>	
1/8 x 48 x 72 and longer—plain, per M sq. ft.	85.00
1/8 x 48 x 72 and longer—tempered, per M sq. ft.	100.00
3/16 x 48 x 72 and longer—plain, per M sq. ft.	97.00
3/16 x 48 x 72 and longer—tempered, per M sq. ft.	117.00
1/4 x 48 x 72 and longer—plain, per M sq. ft.	127.00
1/4 x 48 x 72 and longer—tempered, per M sq. ft.	147.00
1/8 x 48 x 72 and longer—tile, per M sq. ft.	125.00
Cut pieces less than one sheet, per sq. ft.	.02

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER—CON.

Item and unit	Maximum retail selling prices
<b>Wallboard:</b>	
Sheetrock—1/4 x 48 x 72 and longer, per M sq. ft.	\$40.00
Sheetrock—3/8 x 48 x 72 and longer, per M sq. ft.	45.00
Sheetrock—1/2 x 48 x 72 and longer, per M sq. ft.	50.00
<b>Asbestos wallboard—stonewall grade:</b>	
1/4 x 48 x 72 and longer, per M sq. ft.	100.00
3/16 x 48 x 72 and longer, per M sq. ft.	130.00
1/4 x 48 x 72 and longer, per M sq. ft.	150.00

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
<b>Felt:</b>	
Asphalt and tarred:	
15 lb. 36" wide 324 sq. ft., per roll	\$2.60
15 lb. 36" wide 432 sq. ft., per roll	3.35
30 lb. 36" wide 216 sq. ft., per roll	3.25
<b>Roll roofing:</b>	
Smooth surfaced—1st grade:	
45 lb., per roll	2.20
55 lb., per roll	2.60
65 lb., per roll	3.00
65 lb., aluminum, per roll	4.25
<b>Mineral surfaced:</b>	
90 lb., per roll	3.00
105 diamond point—hex. edge stag. edge, per roll	4.25
<b>Shingles:</b>	
Asphalt shingles:	
Hex. std. 3 tab 167 lb., per roll	6.75
Thick butt 3 tab 12" 210 lb., per roll	7.50
Asbestos shingles:	
260-290 lb., per roll	13.00
Dutch lap 16 x 16, per roll	13.00
<b>Siding—asbestos cement:</b>	
Std. surf. hard std. colors (12 x 24) (12 x 27), per roll	11.50
Std. surf. hard std. colors (white or buff), per roll	12.80
Extra hard surf. white (12 x 24) (12 x 27), per roll	13.50
<b>Siding—asphalt:</b>	
Insulated brick:	
14 3/8 x 43 x 7/8, per roll	16.00
13 3/8 x 43 x 7/8, 14 x 43", per roll	16.00
Roll brick, per roll	5.75

TABLE V—METAL PRODUCTS

Item	Unit	Maximum retail selling prices	
		Painted	Galvanized
<b>Ridge roll:</b>			
Plain 1 1/2" roll	Per lin. ft.	88.00	
Plain 2" roll	Per lin. ft.	9.00	
Corrugated ridge roll 2 1/2"	Per lin. ft.	12.00	
<b>Continuous hip: 5' girth, 10' length.</b>	Per lin. ft.		.05
<b>Valley tin:</b>			
10" 28 ga.	Per 100 lin. ft.	88.00	9.00
14" 28 ga.	Per 100 lin. ft.	12.00	13.00
20" 28 ga.	Per 100 lin. ft.	16.00	17.00
Hip shingles: 5' x 7"	Each	1.75	.05
<b>Ash pit doors:</b>			
8" x 8"	Each	\$1.25	\$1.50
10" x 12"	Each	2.25	2.25
Flashing shingles: 5' x 7"	Per 100		2.50

[F. R. Doc. 46-9427; Filed, June 3, 1946; 4:37 p. m.]

[Region VII Order G-23 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN  
OGDEN, UTAH, AREA

Order No. G-23 under General Order  
No. 68. Maximum prices for retail sales



of certain building and construction materials in the Ogden, Utah, Area. Docket No. 7-GO 68-23.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

**SECTION 1. What this order does.** This Order No. G-23 under General Order 68 covers all retail sales by any sellers, located in the Ogden, Utah area, herein designated as Utah Building Materials Area No. 2, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Ogden, Utah area for the purposes of this order includes all of the City of Ogden, and all of Weber County, Utah.

**SEC. 2. Definitions.** For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

**SEC. 3. Relation to other regulations.** The maximum prices established by this Order No. G-23 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

**SEC. 4. Authorized maximum prices.** Upon and after the effective date of this Order No. G-23, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

**SEC. 5. Delivery practices.** (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of

those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

**SEC. 6. Discounts and allowances.** Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

**SEC. 7. Availability of order.** Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Salt Lake City District Office of the Office of Price Administration.

**SEC. 8. Sales slips and records.** (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

**SEC. 9. Prohibitions against sales at higher than maximum prices.** On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials cov-

ered by this order at prices higher than the maximum prices established by this order.

**SEC. 10. Evasions.** (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

**SEC. 11. Less than maximum prices.** Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

**SEC. 12. Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**SEC. 13. Revocation or amendment.** This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-23 shall become effective May 21, 1946.

Issued this 7th day of May 1946.

RICHARD Y. BATTERTON,  
Regional Administrator.



TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
Cement:	
Portland—paper sacks, per sack	\$0.90
Quick-strength, per sack	1.35
Waterproof, per sack	1.85
Keene, per sack	2.50
Atlas or medusa white (regular), per sack	3.00
Atlas or medusa white (waterproof), per sack	3.25
Mortar: Brick cement, per sack	.90
Lime:	
Finishing—Ohio hydrated, per sack 50 lb.	.80
Hydrated—Utah, per sack 50 lb.	.80
Hydrated—Missouri, per sack 50 lb.	.80
Quick—pulverized (Verifat and Cheshire), per sack 50 lb.	.85
Quick—pulverized (Verifat and Cheshire), per sack 80 lb.	1.30
Plaster:	
Hardwall, per sack 100 lb.	.95
Plaster Paris—White, per sack 100 lb.	1.30
Plaster—less than full sack quantities, per lb.	.02
Gauging plaster, per sack 100 lb.	1.05
Moulding and casting plaster, per sack 100 lb.	1.30
Calcium chloride:	
Used for building purposes, per cwt. 100 lb. sack	3.50
Less than 100 lb. quantities, per lb.	.05

TABLE II—LATH: GYPSUM AND METAL METAL: CORNER BEADS AND EXPANSION CASINGS

Item and Unit	Maximum retail selling prices
Lath:	
Gypsum, per M sq. ft.	\$33.00
Metal lath—flat diamond mesh:	
2.5-lb. painted, per sq. yd.	.37½
3.0-lb. painted, per sq. yd.	.40
3.4-lb. painted, per sq. yd.	.45
NOTE: Add for metal lath—self furring—1¢ per yd, over flat diamond mesh.	
Metal lath—flat rib:	
3.0-lb. painted, per sq. yd.	.40
3.4-lb. painted, per sq. yd.	.45
Metal—high rib:	
3.4 ¾" painted, per sq. yd.	.45
NOTE: For copper bearing lath, add 1¢ per sq. yd.	
Corner bead:	
Expanded type, M lin. ft.	50.00
Flat apron, M lin. ft.	40.00
¾" Bull Nose Plain, M lin. ft.	46.50
Corner lath:	
2" x 2", M lin. ft.	30.00
3" x 3", M lin. ft.	35.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling prices
Insulation board:	
½", per M sq. ft.	\$55.00
¾", per M sq. ft.	45.00
For beveled edges—add, per M sq. ft.	5.00
Insulation tile:	
Under 16 x 32 x ½", per M sq. ft.	66.00
16 x 32 x ½" and over, per M sq. ft.	60.00
Insulation plank: ½", per M sq. ft.	80.00
Insulation board ext. type:	
½" ext. sheeting, per M sq. ft.	57.00
¾" ext. sheeting, per M sq. ft.	70.00
Insulation lath: ½", 16 x 48, 18 x 48, 24 x 48, per M sq. ft.	55.00
Balsam wool sealed blankets:	
Standard, per M sq. ft.	55.00
Double thick, per M sq. ft.	75.00
Kimsul insulation:	
Commercial ½", per M sq. ft.	35.00
Standard 1", per M sq. ft.	42.50
Double thick 2", per M sq. ft.	55.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER—CON.

Item and unit	Maximum retail selling prices
Mineral wool insulation:	
Semi-thick batts 15 x 48", per M sq. ft.	\$60.00
Full-thick batts 15 x 48", per M sq. ft.	87.50
Handi-batts full thick 15 x 24", per M sq. ft.	87.50
Jr. Battis 11½ x 15", per M sq. ft.	87.50
Mineral wool blankets:	
1", per M sq. ft.	50.00
2", per M sq. ft.	65.00
3", per M sq. ft.	91.00
Nodulated and loose wool in sacks:	
35 lb., per sack	1.70
38 lb., per sack	1.80
40 lb., per sack	1.90
Expanded mlca, per sack of 4 cu. ft.	1.20
Building paper:	
Red Resin—50 lb., per roll	1.25
Red Resin—30 lb., per roll	1.90
Sisalraft, per 100 sq. ft.	1.35
Presswood:	
½ x 48 x 72 and longer—plain, per M sq. ft.	72.00
½ x 48 x 72 and longer—tempered, per M sq. ft.	90.00
¾ x 48 x 72 and longer—plain, per M sq. ft.	90.00
¾ x 48 x 72 and longer—tempered, per M sq. ft.	110.00
¾ x 48 x 72 and longer—plain, per M sq. ft.	125.00
¾ x 48 x 72 and longer—tempered, per M sq. ft.	145.00
¾" tile board—tempered, per M sq. ft.	125.00
Wallboard:	
Sheetrock—½ x 48 x 72 and longer, per M sq. ft.	40.00
Sheetrock—¾ x 48 x 72 and longer, per M sq. ft.	45.00
Sheetrock—½ x 48 x 72 and longer, per M sq. ft.	50.00

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
Felt:	
Asphalt and tarred:	
15 lb. 36" wide 324 sq. ft., per roll	\$2.23
15 lb. 36" wide 432 sq. ft., per roll	3.00
30 lb. 36" wide 216 sq. ft., per roll	3.24
Roll roofing:	
Smooth surfaced—1st grade:	
35 lb., per roll	1.86
45 lb., per roll	2.33
55 lb., per roll	2.84
65 lb., per roll	3.00
65 lb., Alumshield, per roll	4.65
Mineral surfaced:	
90 lb., per roll	3.05
Split roll 105 lb. diamond point hex. edge stag. edge, per roll	3.90
Shingles:	
Composition shingles: Std. Individual 250 lb., per square	9.50
Asphalt shingles:	
Hex. std. 3 tab 167 lb., per square	6.05
Thick butt 3 tab 12" 210 lb., per square	7.68
Asbestos shingles:	
Asbestos shingles 260-290 lb., per square	13.50
Siding—asbestos cement:	
Std. surf. hard std. colors (12 x 24) (12 x 27), per square	12.50
Std. surf. hard std. colors white or buff, per square	12.50
Extra hard surf. white (12 x 24) (12 x 27), per square	15.00
Siding—asphalt:	
Insulated brick, roll brick, per roll	6.50

TABLE V—METAL PRODUCTS

Item	Unit	Maximum retail selling prices	
		Painted	Galvanized
Ridge roll:			
Plain 1½" roll	Per 100 lin. ft.		\$6.10
Plain 2" roll	Per 100 lin. ft.		6.90
Continuous hip: 5" girth, 10' length.	Per 100 lin. ft.		4.50
Valley tin:			
10" 28 ga.	Per 100 lin. ft.	\$6.65	6.70
14" 28 ga.	Per 100 lin. ft.	9.45	10.00
20" 28 ga.	Per 100 lin. ft.	12.00	13.50
Hip shingles: 5" x 9"	Each		.04½
Globe finials:			
For 1½" plain ridge roll.	Each		.35
For 2" plain ridge roll.	Each		.40
Ash pit doors:		Steel	Cast
8" x 8"	Each	\$8.85	\$1.50
10" x 12"	Each	1.35	2.00
Flashing shingles: 5" x 7"	Per 100		2.25

[F. R. Doc. 46-9419; Filed, June 3, 1946; 4:33 p. m.]

[Region VII Order G-24 Under Gen. Order 68]

#### BUILDING AND CONSTRUCTION MATERIALS IN SALT LAKE CITY, UTAH, AREA

Order No. G-24 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Salt Lake City, Utah, area. Docket No. 7-GO-68-24.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. *What this order does.* This Order No. G-24 under General Order 68 covers all retail sales by any seller, located in the Salt Lake City, Utah, area, herein designated as Utah Building Materials Area No. 1, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Salt Lake City, Utah, area for the purposes of this order includes all of Salt Lake City, Utah, and all of Salt Lake County, Utah, lying east of a line drawn from a point on the south boundary of the said County seven miles west of U. S. Highway 89, and extending north parallel to said highway to a point where that line intersects the north boundary of said county.

Sec. 2. *Definitions.* For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and



metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

**SEC. 3. Relation to other regulations.** The maximum prices established by this Order No. G-24 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

**SEC. 4. Authorized maximum prices.** Upon and after the effective date of this Order No. G-24, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

**SEC. 5. Delivery practices.** (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

**SEC. 6. Discounts and allowances.** Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

**SEC. 7. Availability of order.** Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Salt Lake City Office of the Office of Price Administration.

**SEC. 8. Sales slips and records.** (a) Every seller covered by this order who

has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

**SEC. 9. Prohibitions against sales at higher than maximum prices.** On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

**SEC. 10. Evasions.** (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications

or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

**SEC. 11. Less than maximum prices.** Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

**SEC. 12. Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**SEC. 13. Revocation or amendment.** This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-24 shall become effective May 22, 1946.

Issued this 8th day of May 1946.

RICHARD Y. BATTERTON,  
Regional Administrator.

TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
<b>Cement:</b>	
Portland:	
Paper sacks, per sack.....	\$0.85
Cloth sacks, per sack.....	1.00
Quick-strength, per sack.....	1.25
Waterproof, per sack.....	1.25
Keene, per sack.....	1.75
Atlas or Medusa white:	
Regular, per sack.....	2.55
Waterproof, per sack.....	2.75
Mortar: Masonry—paper sack, per sack.....	.90
<b>Lime:</b>	
Finishing, Ohio hydrated, per sack, 50 lbs.....	.85
Hydrated:	
Utah, per sack, 50 lbs.....	.75
Missouri, per sack, 50 lbs.....	.80
Quick, pulverized (Verifat and Cheshire), per sack, 50 lbs.....	.80
<b>Plaster:</b>	
Hardwall, per sack, 100 lbs.....	.80
Plaster paris—white, per sack, 100 lbs.....	.95
Finishing and gauging plaster, per sack, 100 lbs.....	.90
Casting plaster.....	.95
Plaster in less than full sacks, per lb.....	.02
<b>Calcium chloride:</b>	
Used for building purposes, per 100-lb. sack.....	3.50
Less than 100-lb. quantities, per lb.....	.03



TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASINGS

Item and unit	Maximum retail selling prices
Lath:	
Gypsum, per M sq. ft.	\$33.00
Metal lath—flat diamond mesh:	
2.5 painted, sq. yd.	.31
3.0 painted, sq. yd.	.34
3.4 lb. painted, sq. yd.	.34
NOTE: Add for metal lath, self furring, 1 cent per yd. over flat diamond mesh.	
Metal lath—flat rib:	
2.75 lb. painted, sq. yd.	.35
3.4 lb. painted, sq. yd.	.36
Metal—high rib:	
3.0 $\frac{3}{8}$ " painted, sq. yd.	.35
3.4 $\frac{3}{8}$ " painted, sq. yd.	.36
NOTE: For copper bearing lath, add 1 cent per sq. yd.	
Corner bead:	
Expanded type, M lin. ft.	41.00
Flat apron, M lin. ft.	32.50
$\frac{3}{4}$ " bull nose plain, M lin. ft.	41.50
Corner lath:	
2" x 2", M lin. ft.	24.00
3" x 3", M lin. ft.	26.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling prices
Insulation Board:	
$\frac{1}{2}$ " sq. edge, per M sq. ft.	\$55.00
$\frac{3}{8}$ " sq. edge, per M sq. ft.	45.00
For bevel edge, add per M sq. ft.	5.00
Insulation tile:	
$\frac{1}{2}$ x 16 x 32 and under, per M sq. ft.	69.00
16 x 32 x $\frac{1}{2}$ and over, per M sq. ft.	62.00
Insulation plank: $\frac{1}{2}$ ", per M sq. ft.	69.00
Insulation board ext. type:	
$\frac{1}{2}$ " ext. sheeting, per M sq. ft.	57.00
$\frac{3}{8}$ " ext. sheeting, per M sq. ft.	70.00
Insulation lath: $\frac{1}{2}$ "—16 x 48—18 x 48—24 x 48, per M sq. ft.	55.00
Balsam wool sealed blankets:	
Standard, per M sq. ft.	55.00
Double thick, per M sq. ft.	75.00
Kimsul insulation:	
Commercial $\frac{1}{2}$ ", per M sq. ft.	35.00
Standard 1", per M sq. ft.	42.50
Double thick 2", per M sq. ft.	55.00
Mineral wool insulation:	
Semi-thick batts 15 x 48", per M sq. ft.	60.00
Full-thick batts 15 x 48", per M sq. ft.	87.50
Handi-batts full thick 15 x 24", per M sq. ft.	87.50
Jr. batts 11 $\frac{1}{2}$ x 15", per M sq. ft.	87.50
Mineral wool blankets:	
1", per M sq. ft.	50.00
2", per M sq. ft.	65.00
3", per M sq. ft.	91.00
Modulated and loose wool in sacks:	
35-lb., per sack	1.60
38-lb., per sack	1.70
40-lb., per sack	1.80
Expanded mica, per sack of 4 cu. ft.	1.10
Building paper:	
Red resin—20-lb., per roll	1.40
30-lb., per roll	2.05
40-lb., per roll	2.70
Sisalkraft, per 100 sq. ft.	1.25
Presswood:	
$\frac{1}{8}$ x 48 x 72 and longer:	
Plain, per M sq. ft.	72.00
Tempered, per M sq. ft.	90.00
$\frac{3}{16}$ x 48 x 72 and longer:	
Plain, per M sq. ft.	90.00
Tempered, per M sq. ft.	110.00
$\frac{1}{4}$ x 48 x 72 and longer:	
Plain, per M sq. ft.	125.00
Tempered, per M sq. ft.	145.00
Tile board, tempered $\frac{1}{8}$ ", per M sq. ft.	125.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER—CON.

Item and unit	Maximum retail selling prices
Wallboard:	
Sheetrock:	
$\frac{1}{4}$ x 48 x 72 and longer, per M sq. ft.	\$40.00
$\frac{3}{8}$ x 48 x 72 and longer, per M sq. ft.	45.00
$\frac{1}{2}$ x 48 x 72 and longer, per M sq. ft.	50.00

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
Felt:	
Asphalt and tarred:	
15 lb. 36" wide 324 sq. ft., per roll	\$2.20
15 lb. 36" wide 432 sq. ft., per roll	3.00
30 lb. 36" wide 216 sq. ft., per roll	3.10
Roll roofing:	
Smooth surfaced—1st grade:	
35 lb. per roll	1.85
45 lb., per roll	2.15
55 lb., per roll	2.50
65 lb., per roll	2.80
65 lb. Alumshield, per roll	4.65
Mineral surfaced:	
90 lb., per roll	3.10
Split roll 105 lb. Diamond point hex. edge stag. edge, per roll	4.25
Shingles:	
Composition shingles: Std. individual 250 lb., per square	9.50
Asphalt shingles:	
Hex. Std. 3 tab. 167 lb., per square	5.90
Thick butt 3 tab 12" 210 lb., per square	8.00
Dutch lap—16 x 16, per square	5.25
Siding—Asbestos cement:	
Std. surf. hard std. colors, (12 x 24) (12 x 27), per square	11.95
Std. surf. hard std. colors, white or buff, per square	11.95
Extra hard surf. white, (12 x 24) (12 x 27), per square	14.40
Siding—Asphalt:	
Insulated Brick, roll brick, per roll	5.75

TABLE V—METAL PRODUCTS

Item and unit	Maximum retail selling prices <sup>1</sup>
Ridge roll:	
Plain 1 $\frac{1}{2}$ " roll, per 100 lin. ft.	\$6.10
Plain 2" roll, per 100 lin. ft.	6.90
Continuous hip: 5" girth 10' length, per lin. ft.	.045
Valley tin:	
10" 28 ga., per 100 lin. ft.	6.70
14" 28 ga., per 100 lin. ft.	10.00
20" 28 ga., per 100 lin. ft.	13.50
Hip shingles: 5" x 9", each	.04
Ridge shingles: 9" x 14", each	.11
Globe finials:	
For 1 $\frac{1}{2}$ " plain ridge roll, each	.35
For 2" plain ridge roll, each	.40
Ash pit doors:	
8" x 8", cast iron, each	1.00
10" x 12", cast iron, each	1.50
Flashing shingles: 5" x 7", per 100	2.15

<sup>1</sup> Galvanized.

[F. R. Doc. 46-9420; Filed, June 3, 1946; 4:34 p.m.]

[Region VII Order G-25, Under Gen. Order 68]  
BUILDING AND CONSTRUCTION MATERIALS IN GREELEY-FORT COLLINS, COLO., AREA

Order No. G-25 under General Order 68. Maximum prices for retail sales of certain building and construction mate-

rials in the Greeley-Fort Collins, Colorado, Area. Docket No. 7-GO 68-25.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. *What this order does.* This Order No. G-25 under General Order 68 covers all retail sales by any seller, located in the Greeley-Fort Collins, Colorado area, herein designated as Colorado Building Materials Area No. 8, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Greeley-Fort Collins, Colorado area for the purposes of this order includes all of the cities of Greeley and Fort Collins, Colorado, and all of Weld and Larimer Counties, Colorado, except the town of Estes Park in Larimer County.

SEC. 2. *Definitions.* For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. *Relation to other regulations.* The maximum prices established by this Order No. G-25 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. *Authorized maximum prices.* Upon and after the effective date of this Order No. G-25, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. *Delivery practices.* (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller



may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

**SEC. 6. Discounts and allowances.** Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

**SEC. 7. Availability of order.** Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Denver District Office of the Office of Price Administration.

**SEC. 8. Sales slips and records.** (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

**SEC. 9. Prohibitions against sales at higher than maximum prices.** On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell

building or construction materials covered by this order at prices higher than the maximum prices established by this order.

**SEC. 10. Evasions.** (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charges in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

**SEC. 11. Less than maximum prices.** Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

**SEC. 12. Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**SEC. 13. Revocation or amendment.** This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-25 shall become effective June 1, 1946.

Issued this 16th day of May 1946.

HAROLD O. HILL,  
Acting Regional Administrator.

TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
<b>Cement:</b>	
Portland—paper sacks, per sack	\$0.85
Portland—cloth sacks, per sack	1.00
Quick-strength, per sack	1.10
Waterproof, per sack	1.10
Keene, per sack	2.50
Atlas or duro white, per sack	3.25
Oriental white, per sack	3.00
Mortar: Masonry—paper sack, per sack	.80
<b>Lime:</b>	
Finishing—Ohio hydrated, per sack 50 lbs.	.75
Hydrated—Colorado, per sack 50 lbs.	.75
Hydrated—Missouri, per sack 50 lbs.	.75
Pebble, per sack 80 lbs.	1.30
Quick-pulverized (verifast and cheshire), per sack 50 lbs.	1.30
Oriental white, per sack 80 lbs.	1.20
Less than sack quantities, per lb.	.02
<b>Plaster:</b>	
Hardwall, per sack 100 lbs.	.90
Gauging plaster, per sack 100 lbs.	.90
Plaster paris—white, per sack 100 lbs.	.90
Less than sack quantities, per lb.	.02
<b>Calcium chloride:</b>	
Used for building purposes, per cwt. 100 lb sack	3.50
Less than 100 lb. quantities, per lb.	.05

TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASINGS

Item and unit	Maximum retail selling prices
<b>Lath:</b>	
Gypsum, per M sq. ft.	\$33.00
Metal lath—flat diamond mesh:	
2.5 lb. painted, sq. yd.	.30
3.4 lb. painted, sq. yd.	.34
3.4 lb. galvanized, sq. yd.	.38
NOTE: Add for metal lath—self furring—1¢ per yd. over flat diamond mesh.	
Metal lath—flat rib:	
2.75 lb. painted, sq. yd.	.30
3.4 lb. painted, sq. yd.	.34
Metal—high rib: 3.4 3/8" painted, sq. yd.	.38
NOTE: For copper bearing lath, add 1¢ per sq. yd.	
<b>Corner bead:</b>	
Expanded type, M lin. ft.	60.00
Flat apron, M lin. ft.	50.00
3/4" bull nose plain, M lin. ft.	45.00
All expansion casing: 1/4 round (bull nose—O. G. or square edge), M lin. ft.	90.00
<b>Corner lath:</b>	
2" x 2", M lin. ft.	35.00
3" x 3", M lin. ft.	40.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling prices
<b>Insulation board:</b>	
1/2", per M sq. ft.	\$50.00
3/4", per M sq. ft.	42.50
<b>Insulation tile:</b>	
Under 16 x 32 x 1/2, per M sq. ft.	67.50
16 x 32 x 1/2 and over, per M sq. ft.	65.00
<b>Insulation plank:</b>	
1/2", per M sq. ft.	67.50
<b>Insulation board ext. type:</b>	
1/2" ext. sheeting, per M sq. ft.	57.50
3/4" ext. sheeting, per M sq. ft.	70.00
<b>Insulation lath:</b>	
1/2"—16 x 48—18 x 48—24 x 48, per M sq. ft.	50.00
<b>Balsam wool sealed blankets:</b>	
Standard, per M sq. ft.	50.00
Double thick, per M sq. ft.	67.50
Wall thick, per M sq. ft.	90.00



TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER—CON.

Item and unit	Maximum retail selling prices
Kimsul insulation:	
Commercial ½", per M sq. ft.	\$40.00
Standard 1", per M sq. ft.	47.00
Double thick 2", per M sq. ft.	55.00
Mineral wool insulation:	
Semithick batts 15 x 48", per M sq. ft.	55.00
Full-thick batts 15 x 48", per M sq. ft.	75.00
Handi-batts full thick 15 x 24", per M sq. ft.	75.00
Jr. batts 1½ x 15", per M sq. ft.	75.00
Mineral wool blankets:	
1", per M sq. ft.	46.00
2", per M sq. ft.	57.00
3", per M sq. ft.	80.00
Nodulated and loose wool in sacks:	
35-lb., per sack	1.60
38-lb., per sack	1.75
40-lb., per sack	1.80
Expanded mica, 4 cu. ft.	1.15
Building paper:	
Red resin, 20-lb., per roll	1.25
Red resin, 30-lb., per roll	1.75
Red resin, 40-lb., per roll	2.25
Sisalcraft, per hundred sq. ft.	1.25
Presswood:	
½ x 48 x 72 and longer—plain, per M sq. ft.	80.00
½ x 48 x 72 and longer, tempered, per M sq. ft.	100.00
¾ x 48 x 72 and longer, plain, per M sq. ft.	100.00
¾ x 48 x 72 and longer, tempered, per M sq. ft.	120.00
Wallboard:	
Sheetrock, ½ x 48 x 72 and longer, per M sq. ft.	40.00
Sheetrock, ¾ x 48 x 72 and longer, per M sq. ft.	50.00
Sheetrock, 1 x 48 x 72 and longer, per M sq. ft.	55.00

\* This includes increase allowed in Amend. 40 to Order 1 to MPR 592, effective May 3, 1946.

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
Felt:	
Asphalt and tarred:	
15# 36" wide 432 sq. ft., per roll	\$3.15
30# 36" wide 216 sq. ft., per roll	3.15
Roll roofing:	
Smooth surfaced—1st grade:	
35#, per roll	1.65
45#, per roll	2.10
55#, per roll	2.50
65#, per roll	3.25
Mineral surfaced:	
90#, per roll	3.00
Split roll 105# diamond point—hex. edge stag. edge, per roll	3.90
Shingles:	
Composition shingles; Std. individual 250#, per square	8.65
Asphalt shingles:	
Hex. std. 3 tab 167#, per square	5.85
Thick butt 3 tab 12" 210#, per square	7.55
Asbestos shingles:	
Asbestos-shingles 260-290#, per square	11.75
Dutch lap 16 x 16, per square	12.30
Siding—asbestos cement:	
Std. surf. hard std. colors (12 x 24) (12 x 27), per square	10.50
Std. surf. hard std. colors, white or buff, per square	10.75
Extra hard surf. white (12 x 24) (12 x 27), per square	12.75
Siding—asphalt:	
Insulated brick:	
14# x 43 x ¾, per square	14.00
13# x 43 x ¾ 14 x 43", per square	14.00
Roll brick, per roll	4.50

TABLE V—METAL PRODUCTS

Item	Unit	Maximum retail selling prices	
		Painted	Galvanized
Ridge roll:			
Plain 1½" roll	Per lin. ft.		\$0.06
Plain 2" roll	Per lin. ft.		.07
Continuous hip: 5" girth, 10' length	Per lin. ft.		.05
Valley tin:			
10" 28 ga.	Per 100 lin. ft.	\$8.00	8.00
14" 28 ga.	Per 100 lin. ft.	12.00	12.00
20" 28 ga.	Per 100 lin. ft.	15.00	16.00
Hip shingles: 5" x 9"	Each		.04
Ridge shingles: 9" x 14"	Each		.11
Globe finals:			
For 1½" plain ridge roll	Each		.35
For 2" plain ridge roll	Each		.40
Ash pit doors:			
8" x 8"	Each	Welded angle \$1.25	Pressed steel \$1.00
10" x 12"	Each	2.00	1.50
Flashing shingles: 5" x 7"	Per 100		2.25

[F. R. Doc. 46-9421; Filed, June 3, 1946; 4:35 p. m.]

[Region VII Order G-26, Under Gen. Order 68]  
BUILDING AND CONSTRUCTION MATERIALS IN  
PROVO, UTAH, AREA

Order No. G-26 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Provo, Utah, Area. Docket No. 7-GO 68-26.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. *What this order does.* This Order No. G-26 under General Order 68 covers all retail sales by any seller, located in the Provo, Utah, area, herein designated as Utah Building Materials Area No. 3, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Provo, Utah, area for the purposes of this order includes all of the City of Provo, Utah, and all of Utah County, Utah, except that portion of said county lying south of a line extending in an east-west direction two miles south of the city limits of Springville.

SEC. 2. *Definitions.* For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. *Relation to other regulations.* The maximum prices established by this

Order No. G-26 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. *Authorized maximum prices.* Upon and after the effective date of this Order No. G-26, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. *Delivery practices.* (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. *Discounts and allowances.* Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. *Availability of order.* Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Salt Lake City District Office of the Office of Price Administration.

SEC. 8. *Sales slips and records.* (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip



delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. *Prohibitions against sales at higher than maximum prices.* On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. *Evasions.* (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever

in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. *Less than maximum prices.* Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Revocation or amendment.* This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-26 shall become effective June 1, 1946.

Issued this 16th day of May 1946.

HAROLD O. HILL,  
Acting Regional Administrator.

TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
Cement:	
Portland:	
Paper sacks, per sack	\$0.90
Cloth sacks, per sack	1.10
Quick-Strength, per sack	1.30
Waterproof, per sack	1.30
Keene, per sack	2.00
Atlas or Medusa white, per sack	2.80
Waterproof, per sack	3.00
Mortar: Masonry—paper sack, per sack	.95
Lime:	
Finishing—Ohio hydrated, per sack, 50 lbs.	.90
Hydrated, per sack, 50 lbs.	.90
Hydrated—Missouri, per sack, 50 lbs.	.90
Quick-pulverized (Verifat and Cheshire), per sack, 50 lbs.	.90
Plaster:	
Hardwall, per sack, 100 lbs.	.85
Gauging plaster, per sack, 100 lbs.	.95
Moulding and casting plaster, per sack, 100 lbs.	1.00
Plaster in less than sack quantities, per lb.	.02
Calcium chloride:	
Used for building purposes, per cwt., 100-lb. sack	4.00
Less than 100 lb. quantities, per lb.	.05

TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASINGS

Item and unit	Maximum retail selling prices
Lath:	
Gypsum, per M sq. ft.	\$33.00
Metal lath—flat diamond mesh:	
2.5 lb. painted, sq. yd.	.36
3.0 lb. painted, sq. yd.	.38
3.4 lb. galvanized, sq. yd.	.42
NOTE: Add for metal lath, self furring, 1 cent per yd. over flat diamond mesh.	
Metal lath—flat rib:	
2.75 lb. painted, sq. yd.	.37
3.4 lb. painted, sq. yd.	.41

TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASINGS—Con.

Item and unit	Maximum retail selling prices
Lath—Continued.	
Metal—high rib: 3.4 $\frac{3}{8}$ " painted, sq. yd.	\$0.42
NOTE: For copper bearing lath, add 1 cent per sq. yd.	
Corner bead:	
Expanded type, M lin. ft.	50.00
Flat apron, M lin. ft.	40.00
$\frac{3}{4}$ " bull nose plain, M lin. ft.	60.00
Corner lath:	
2" x 2", M lin. ft.	26.00
3" x 3", M lin. ft.	28.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling prices
Insulation board:	
$\frac{1}{2}$ " , per M sq. ft.	\$55.00
$\frac{3}{4}$ " , per M sq. ft.	45.00
For beveled edge—Add per M sq. ft.	5.00
Insulation tile:	
Below $\frac{1}{2}$ x 16 x 32, per M sq. ft.	69.00
16 x 32 x $\frac{1}{2}$ and over, per M sq. ft.	65.00
Insulation plank: $\frac{1}{2}$ " , per M sq. ft.	69.00
Insulation board ext. type:	
$\frac{1}{2}$ " ext. sheeting, per M sq. ft.	58.50
$\frac{3}{4}$ " ext. sheeting, per M sq. ft.	74.00
Insulation lath: $\frac{1}{2}$ "—16 x 48—18 x 48—24 x 48, per M sq. ft.	55.00
Balsam wool sealed blankets:	
Standard, per M sq. ft.	55.00
Double thick, per M sq. ft.	77.50
Kimsul insulation:	
Commercial $\frac{1}{2}$ " , per M sq. ft.	38.00
Standard 1" , per M sq. ft.	43.50
Double thick 2" , per M sq. ft.	52.50
Mineral wool insulation:	
Semi-thick batts 15 x 48" , per M sq. ft.	60.00
Full-thick batts 15 x 48" , per M sq. ft.	87.50
Handi-batts full thick 15 x 24" , per M sq. ft.	87.50
Jr. batts 11 $\frac{1}{2}$ x 15" , per M sq. ft.	87.50
Mineral wool blankets:	
1" , per M sq. ft.	50.00
2" , per M sq. ft.	66.00
3" , per M sq. ft.	91.00
Nodulated and loose wool in sacks:	
35-lb., per sack	1.70
38-lb., per sack	1.80
40-lb., per sack	1.90
Expanded mica, per sack, 4 cu. ft.	1.18
Building paper:	
Red resin:	
20-lb., per roll	1.50
30-lb., per roll	2.30
40-lb., per roll	3.00
Sisalcraft, per roll	1.35
Presswood:	
$\frac{1}{8}$ x 48 x 72 and longer:	
Plain, per M sq. ft.	80.00
Tempered, per M sq. ft.	100.00
$\frac{3}{16}$ x 48 x 72 and longer:	
Plain, per M sq. ft.	100.00
Tempered, per M sq. ft.	120.00
$\frac{1}{4}$ x 48 x 72 and longer:	
Plain, per M sq. ft.	130.00
Tempered, per M sq. ft.	145.00
$\frac{1}{2}$ x 48 x 72 and longer, tile board—tempered, per M sq. ft.	130.00
Wallboard:	
Sheetrock:	
$\frac{1}{4}$ x 48 x 72 and longer, per M sq. ft.	40.00
$\frac{3}{8}$ x 48 x 72 and longer, per M sq. ft.	45.00
$\frac{1}{2}$ x 48 x 72 and longer, per M sq. ft.	50.00

<sup>1</sup> This price includes the increase allowed in Am. 40 to Order 1 of MPR 592, effective May 3, 1946.



TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
<b>Felt:</b>	
Asphalt and tarred:	
15-lb., 36" wide, 324 sq. ft., per roll	\$2.40
15-lb., 36" wide, 432 sq. ft., per roll	3.20
30-lb., 36" wide, 216 sq. ft., per roll	3.45
<b>Roll roofing:</b>	
Smooth surfaced—1st grade:	
35-lb., per roll	1.85
45-lb., per roll	2.30
55-lb., per roll	2.50
65-lb., per roll	3.45
75-lb., per roll	3.75
65-lb., alumishield, per roll	4.65
<b>Mineral surfaced:</b>	
90-lb., per roll	3.10
Split roll 105-lb., diamond point—hex. edge, stag. edge, per roll	4.25
<b>Shingles:</b>	
Composition shingles—Std. individual 250-lb., per square	10.50
Asphalt shingles:	
Hex. std. 3-tab, 167-lb., per square	6.85
Thick butt, 3-tab, 12", 210-lb., per square	8.00
Asbestos shingles: Dutch lap, 16 x 16", per square	14.50
<b>Siding—Asbestos cement:</b>	
Std. surf. hard std. colors (12 x 24") (12 x 27"), per square	11.95
Std. surf. hard std. colors, white or buff, per square	11.95
Extra hard surf. white (12 x 24"), (12 x 27"), per square	14.40
Siding—Asphalt: Roll brick, per roll	5.75

TABLE V—METAL PRODUCTS

Item and unit	Maximum retail selling prices <sup>1</sup>
<b>Ridge roll:</b>	
Plain 1½" roll, per lin. ft.	\$0.07½
Plain 2" roll, per lin. ft.	.08½
Continuous hip: 5" girth 10' length, per lin. ft.	.04½
<b>Valley tin:</b>	
10" 28 ga., per 100 lin. ft.	10.00
14" 28 ga., per 100 lin. ft.	12.00
20" 28 ga., per 100 lin. ft.	17.00
Hip shingles, 5" x 9", each	.04½
Ridge shingles, 9" x 14", each	.11
<b>Ash pit doors:</b>	
8" x 8", cast iron, each	1.00
10" x 12", cast iron, each	1.50
Flashing shingles: 5" x 7", per 100	*3.00

<sup>1</sup> Galvanized.

\* Painted, \$2.50.

[F. R. Doc. 46-9422; Filed, June 3, 1946; 4:35 p. m.]

[Region VII Order G-27 Under Gen. Order 68]

## BUILDING AND CONSTRUCTION MATERIALS IN POCATELLO, IDAHO, AREA

Order No. G-27 under General Order 68. Maximum prices for retail sales of certain building and construction materials in the Pocatello, Idaho, area, Docket No. 7-GO 68-27.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

**SECTION 1. What this order does.** This Order No. G-27 under General Order 68 covers all retail sales by any seller, located in the Pocatello, Idaho, area, herein designated as Idaho Building Materials

Area No. 2, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Pocatello, Idaho area for the purposes of this order includes all of the City of Pocatello, Idaho, all of Power County, Idaho, all of Bingham County, Idaho, lying south of an east-west line drawn five miles north of Blackfoot but not including the city of Aberdeen, and all of Bannock County, Idaho lying north of an east-west line drawn five miles south of the town of Inkom in said Bannock County.

**SEC. 2. Definitions.** For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

**SEC. 3. Relation to other regulations.** The maximum prices established by this Order No. G-27 supersede any maximum prices or pricing methods previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

**SEC. 4. Authorized maximum prices.** Upon and after the effective date of this Order No. G-27, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

**SEC. 5. Delivery practices.** (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942 the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such

delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

**SEC. 6. Discounts and allowances.** Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

**SEC. 7. Availability of order.** Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Boise District Office of the Office of Price Administration.

**SEC. 8. Sales slips and records.** (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

**SEC. 9. Prohibitions against sales at higher than maximum prices.** On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

**SEC. 10. Evasions.** (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all



the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly, acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. *Less than maximum prices.* Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Revocation or amendment.* This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-27 shall become effective June 3, 1946.

Issued this 21st day of May 1946.

RICHARD Y. BATTERTON,  
Regional Administrator.

TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
Cement:	
Portland:	
Paper sacks, per sack	\$0.95
Cloth sacks, per sack	1.10
Quick strength, per sack	2.05
Waterproof, per sack	1.70
Keene, per sack	2.60
Atlas or Duro white, per sack	3.75
Atlas or Duro white, waterproof, per sack	4.00

No. 111—6

TABLE I—CEMENT, LIME AND PLASTER—CON.

Item and unit	Maximum retail selling prices
Lime:	
Finishing—Ohio hydrated, per sack, 50 lbs.	\$1.25
Hydrated:	
Colorado, Boulder Canyon, and Timpie, per sack, 50 lbs.	.90
Missouri, per sack, 50 lbs.	.95
Pebble, 90-lb. drum	2.10
Quick—pulverized (Verifat and Cheshire)—Colorado, Washington or Boulder Canyon:	
Per sack, 60 lbs.	1.35
Per sack, 80 lbs.	1.75
Quick pulverized Missouri:	
Per sack, 60 lbs.	1.41
Per sack, 80 lbs.	1.83
Plaster:	
Hardwall, per sack, 100 lbs.	1.10
Plaster paris:	
White, per sack, 100 lbs.	1.25
Less than full sack quantities, per lb.	.02
Moulding and casting plaster, per sack, 100 lbs.	1.25
Ready mixed finishing plaster, per sack, 100 lbs.	1.65
Gauging plaster, per sack, 100 lbs.	1.25
Calcium chloride:	
Used for building purposes, per cwt., 100-lb. sack	3.50
Less than 100-lb. quantities, per lb.	.05

TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASING

Item and unit	Maximum retail selling prices
Lath:	
Gypsum, per M sq. ft.	\$38.00
Metal lath—flat diamond mesh:	
2.5 lb. painted, sq. yd.	.33
3.4 lb. painted, sq. yd.	.36
3.4 lb. galvanized, sq. yd.	.40
NOTE: Add for metal lath—self furring—1 cent per sq. yd. over flat diamond mesh.	
Metal lath—flat rib:	
2.75 lb. painted, sq. yd.	.38
3.4 lb. painted, sq. yd.	.42
Metal—high rib:	
3.4 3/8" painted, sq. yd.	.44
4.0 3/8" painted, sq. yd.	.43
NOTE: For copper bearing lath, add 1 cent per sq. yd.	
Corner bead:	
Expanded type, M lin. ft.	55.00
Flat apron, M lin. ft.	35.00
3/4" bull nose plain, M lin. ft.	55.00
All expansion casing: 1/4 round (bull nose—O. G. or square edge), 1 1/2 lin. ft.	105.00
Corner lath:	
2" x 2", 100 lin. ft.	3.00
3" x 3", 100 lin. ft.	3.50
Pittsburg corner reinforcing: 3" x 3", 100 lin. ft.	2.50

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling price
Insulation board:	
1/2", per M sq. ft.	\$50.00
3/8", per M sq. ft.	42.50
Insulation tile:	
Under 1/2 x 16 x 32, per M sq. ft.	70.00
16 x 32 x 1/2 and over, per M sq. ft.	65.00
Insulation plank: 1/2", per M sq. ft.	70.00
Insulation board ext. type:	
1/2" ext. sheeting, per M sq. ft.	60.00
2 3/8" ext. sheeting, per M sq. ft.	74.00
Insulation lath: 1/2"—16 x 48—18 x 48—24 x 48, per M sq. ft.	55.00
*Price includes raise of \$4 allowed in Amend. 40 to Order 1 of MPR 592 effective May 3, 1946.	

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER—CON.

Item and unit	Maximum retail selling prices
Balsam wool sealed blankets:	
Standard, per M sq. ft.	\$53.00
Double thick, per M sq. ft.	77.00
Wall thick, per M sq. ft.	95.00
Kimsul insulation:	
Commercial 1/2", per M sq. ft.	40.00
Standard 1", per M sq. ft.	47.50
Double thick 2", per M sq. ft.	55.50
Mineral wool insulation:	
Semi-thick batts 15 x 48", per M sq. ft.	65.00
Full-thick batts 15 x 48", per M sq. ft.	90.00
Handi-batts full thick 15 x 24", per M sq. ft.	90.00
Jr. batts 11 1/2 x 15", per bag of 20 sq. ft. 4" thick	2.10
Mineral wool blankets:	
1", per M sq. ft.	60.00
2", per M sq. ft.	80.00
3", per M sq. ft.	100.00
Nodulated and loose wool in sacks:	
35 lb., per sack	1.75
38 lb., per sack	1.90
40 lb., per sack	2.00
Expanded mica, per bag of 4 cu. ft.	1.38
Building paper:	
Red resin:	
20 lb., per roll	1.40
25 lb., per roll	1.75
30 lb., per roll	2.10
40 lb., per roll	2.80
Sisalcraft:	
Per 100 sq. ft.	1.40
Less than 100 sq. ft., per ft.	.02
Presswood:	
1/4 x 48 x 72 and longer:	
Plain, per M sq. ft.	75.00
Tempered, per M sq. ft.	90.00
3/16 x 48 x 72 and longer:	
Plain, per M sq. ft.	90.00
Tempered, per M sq. ft.	110.00
1/4 x 48 x 72 and longer:	
Plain, per M sq. ft.	120.00
Tempered, per M sq. ft.	140.00
1/4 x 48 x 96 only, pressed panel board, per M sq. ft.	85.00
Wallboard:	
Sheetrock:	
1/4 x 48 x 72 and longer, per M sq. ft.	40.00
3/8 x 48 x 72 and longer, per M sq. ft.	45.00
1/2 x 48 x 72 and longer, per M sq. ft.	50.00
3/8"—decorative wood grain, per M sq. ft.	70.00
3/8"—tile, per M sq. ft.	95.00
1/2"—Gyplap exterior (2' x 8'), per M sq. ft.	47.50

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
Felt:	
Asphalt and tarred:	
15 lb. 36" wide 324 sq. ft., per roll	\$2.60
15 lb. 36" wide 432 sq. ft., per roll	3.15
30 lb. 36" wide 216 sq. ft., per roll	3.20
Sheathing felt:	
35 lb.—500 sq. ft. rolls, per roll	2.10
35 lb.—250 sq. ft. rolls, per roll	1.05
Roll roofing:	
Smooth surfaced—1st grade:	
35 lb., per roll	1.75
45 lb., per roll	2.15
55 lb., per roll	2.60
65 lb., per roll	3.25
75 lb., per roll	3.65
65 lb., Alumishield, per roll	4.25
Mineral surfaced:	
90 lb., per roll	3.20
Split roll 105 lb. diamond point—hex. edge stag. edge, per roll	3.95



TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING—Continued

Item and unit	Maximum retail selling prices
Shingles:	
Composition shingles: Std. individual 250 lb., per square	\$9.75
Asphalt shingles:	
Hex. std. 3 tab 167 lb., per square	6.50
Thick butt 3 tab 12" 210 lb., per square	8.25
Siding—asbestos cement:	
Std. surf. hard std. colors (12 x 24) (12 x 27), per square	12.80
Std. surf. hard std. colors, white or buff, per square	13.80
Extra hard surf. white (12 x 24) (12 x 27), per square	15.50
Siding—asphalt: roll brick, per roll	7.75

TABLE V—METAL PRODUCTS

Item	Unit	Maximum retail selling prices	
		Painted	Galvanized
Ridge roll:			
Plain 1½" roll	Per 100 lin. ft.		\$7.15
Plain 2" roll	Per 100 lin. ft.		8.15
Corrugated ridge roll 2½"	Per 100 lin. ft.		12.00
Continuous hip: 5" girth 10' length.	Per lin. ft.		.05
Valley tin:			
10" 28 ga.	Per 100 lin. ft.	6.50	8.00
14" 28 ga.	Per 100 lin. ft.	10.00	12.00
20" 28 ga.	Per 100 lin. ft.	13.50	17.00
Hip shingles: 5" x 9"	Each		.04½
Globe finials:			
For 1½" plain ridge roll	Each		.35
For 2" plain ridge roll	Each		.40
Ash pit doors:			
8" x 8"	Each	Steel \$1.00	Cast \$1.25
10" x 12"	Each	1.50	1.75
Flashing shingles: 5" x 7"	Per 100	2.25	2.50

[F. R. Doc. 46-9418; Filed, June 3, 1946; 4:32 p. m.]

[Region III Order G-1 Under SR 15]

#### FLUID CREAM IN NOBLE COUNTY, IND.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority delegated to the Regional Administrator by § 1499.75 (a) (9b) of Supplementary Regulation No. 15, it is hereby ordered:

(a) *What this order does.* This order grants an adjustment of the maximum retail and wholesale prices of fluid cream of 19% butterfat content sold by distributors in Noble County, Indiana. It also provides an adjustment in the maximum prices of resellers of such cream located in said area.

(b) *Maximum prices.* On and after the effective date of this order, the maximum prices at which distributors may sell fluid cream of 19% butterfat content in Noble County, Indiana shall be the higher of the following:

(1) The maximum prices of such distributor as determined under § 1499.2 of General Maximum Price Regulation or Supplementary Regulation No. 14A.

(2) The prices set forth in the following schedule:

Container size	Type of container	Adjusted maximum price	
		Wholesale	Retail
½ Pint	Glass or paper	Cents 11½	Cents 13½
Quart	do.	40	45

(c) *Resellers.* Resellers of the commodities specified in paragraph (b) hereof may, on sales made in Noble County, Indiana, increase their established maximum prices by the same dollars and cents amount by which their supplier's maximum prices are increased pursuant to the provisions hereof.

(d) *Relationship to other regulations and orders.* Except as herein specifically provided otherwise, the provisions of General Maximum Price Regulation shall apply to all sales of fluid cream covered hereby.

(e) *Notification.* At the time of or prior to the first sale and/or delivery, after the effective date of this order, of the commodities covered hereby to any purchaser for resale, all sellers covered hereby shall notify such purchasers of the adjustment permitted hereby and of the provisions of this order affecting resellers.

(f) *Definitions.* Except as the context otherwise requires, all definitions contained in General Maximum Price Regulation and § 1499.75 (b) (9b) of Supplementary Regulation No. 15 shall apply to all terms used herein.

(g) *Amendment and revocation.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 5, 1946.

Issued June 5, 1946.

JOHN F. KESSEL,  
Regional Administrator.

Approved: June 4, 1946.

S. W. TATOR,  
Director, Dairy Branch, Production and Marketing Administration, U. S. Department of Agriculture.

[F. R. Doc. 46-9563; Filed, June 5, 1946; 4:42 p. m.]

#### WAR SHIPPING ADMINISTRATION.

##### "SONORA"

#### NOTICE OF DEPOSIT ON ACCOUNT OF JUST COMPENSATION FOR REQUISITIONED VESSEL

Notice is hereby given, pursuant to section 902 of the Merchant Marine Act, 1936, as amended (49 Stat. 2015; 53 Stat. 1254), authorizing the requisition by the United States of vessels owned by citizens of the United States or under construction within the United States and the payment of just compensation therefor, and the act of March 24, 1943 (Public Law 17, 78th Congress; 57 Stat. 45), that the Administrator, War Shipping Ad-

ministration, on May 23, 1946, deposited with the Treasurer of the United States the sum of \$102,073.00, as a portion of the amount determined to be just compensation for the vessel "Sonora," which was requisitioned by the United States on August 10, 1942.

The attention of interested parties is invited to the provisions of said section 902, as amended by the said act of March 24, 1943, concerning claims against the vessel subsisting at the time it was requisitioned.

By order of the Administrator, War Shipping Administration.

[SEAL]

A. J. WILLIAMS,

Secretary.

War Shipping Administration.

JUNE 3, 1946.

[F. R. Doc. 46-9590; Filed, June 6, 1946; 11:45 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6320]

IDA FRICKE ET AL.

In re: Bank account owned by the heirs, next of kin, legatees and distributees, names unknown, of Ida Fricke, deceased.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the heirs, next of kin, legatees and distributees, names unknown, of Ida Fricke, deceased, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to the heirs, next of kin, legatees and distributees, names unknown, of Ida Fricke, deceased, by California Bank, 625 South Spring Street, Los Angeles, California, arising out of a commercial account, entitled Estate of Ida Fricke by H. C. Rumsey, maintained at the branch office of the aforesaid bank located at 6279 Van Nuys Boulevard, Van Nuys, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nations of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to



be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 21, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-9442; Filed, June 4, 1946;  
11:10 a. m.]

[Vesting Order 6340]

KONISHI AND CO., LTD.

In re: Bank account owned by Konishi and Co., Ltd., also known as Kohishi & Co., Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Konishi and Co., Ltd., also known as Kohishi & Co., Ltd., the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Konishi and Co., Ltd., also known as Kohishi & Co., Ltd., by Bank of America National Trust and Savings Association, 1 Powell Street, San Francisco, California, arising out of a checking account, entitled Kohishi & Co., Ltd. or in the alternative, entitled Konishi & Co., Ltd. maintained at the branch office of the aforesaid bank located at 300

Montgomery Street, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-9443; Filed, June 4, 1946;  
11:10 a. m.]

[Vesting Order 6227]

THEODOR LÖB ET AL.

In re: Interests of Theodor Löb, Max Löb, Hertha Löb, Erna Löb and Toni Löb in a bank account and securities.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law the undersigned, after investigation, finding:

1. That Theodor Löb, also known as Theodore Löb, Max Löb, Hertha Löb, Erna Löb and Toni Löb, whose last known addresses are Wachenheim, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the persons named in subparagraph 1 hereof are the owners of the property described in subparagraph 3 hereof in the proportionate amounts appearing below opposite their respective names:

Names:	Amounts
Theodor Löb.....	5/20
Max Löb.....	3/20
Hertha Löb.....	3/20
Erna Löb.....	3/20
Toni Löb.....	3/20
Total .....	17/20

3. That the property described as follows: a. All those certain debts or other obligations owing to the persons named in subparagraph 1 hereof by Isidor Reinheimer, 645 Euclid Avenue, San Francisco, California, including particularly but not limited to an undivided seventeen-twentieths interest in and to the sum of money on deposit with Wells Fargo Bank & Union Trust Company, San Francisco, California, in a savings account entitled "Isidor Reinheimer, Special Account B", maintained at the branch office of the aforesaid bank located at Market Street and Grant Avenue, San Francisco, California, and any and all rights to demand, enforce and collect the same, and

b. All right, title, interest and claim of any name or nature whatsoever of the persons named in subparagraph 1 hereof in and to any and all securities in the possession of Isidor Reinheimer, 645 Euclid Avenue, San Francisco, California, including particularly but not limited to an undivided seventeen-twentieths interest in and to those certain securities described in Exhibit A, attached hereto and by reference made a part hereof, and held in his name in a safe deposit box in the branch office of Wells Fargo Bank & Union Trust Company located at Market Street and Grant Avenue, San Francisco, California, together with all declared and unpaid dividends thereon, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,



hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 29, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

## EXHIBIT A

Type	Serial No.	Maturity date	Maturity value
City and County of San Francisco 4 1/2% Bond	21496	July 1, 1973	\$1,000
City of Redwood 5% Bond	53	July 1, 1950	1,000
City of Redwood 5% Bond	54	July 1, 1950	1,000
Turlock Irrigation District 6% Bond	1003	Feb. 1, 1951	1,000
County of San Bernardino 5% Bond	1444	Jan. 5, 1948	1,000
County of San Bernardino 5% Bond	1445	Jan. 5, 1948	1,000
United States 3 1/2% Bond	137538	June 15, 1949	1,000
United States 3 1/2% Bond	137539	June 15, 1949	1,000
United States 3 1/2% Bond	137540	June 15, 1949	1,000
United States 2 1/2% Bond	1846F	Mar. 15, 1970	10,000
Total			19,000

[F. R. Doc. 46-9484; Filed, June 5, 1946; 10:58 a. m.]

[Vesting Order 6287]

MRS. TATSUKO SAYEGUSA

In re: Claim owned by Mrs. Tatsuko Sayegusa.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Tatsuko Sayegusa, whose last known address is Japan, is a resident of Japan, and a national of a designated enemy country (Japan);

2. That the property described as follows: All right, title, interest and claim

of any name or nature whatsoever of Mrs. Tatsuko Sayegusa, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Mrs. Tatsuko Sayegusa, by Kinzo Sayegusa, Honolulu, T. H., doing business as The Cherry, 1137 Fort Street, Honolulu, T. H., including particularly but not limited to those sums arising by reason of cash loans to Kinzo Sayegusa, Honolulu, T. H., doing business as The Cherry, 1137 Fort Street, Honolulu, T. H., and any and all security rights in and to any and all collateral for any and all such obligations and the rights to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-9485; Filed, June 5, 1946; 10:58 p. m.]

[Vesting Order 6301]

MITSUZO TAMURA

In re: Debt owing to and stock owned by Mitsuzo Tamura.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mitsuzo Tamura, whose last known address is No. 30 Sokaicho, Konohaku, Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: a. All those debts or other obligations owing to Mitsuzo Tamura by Mary Nakahara, 893 West Eleventh Street, San Pedro, California, including particularly but not limited to that sum of money on deposit with the Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, in a term savings account, Account Number 25907, entitled Mary Nakahara, maintained at the branch office of the aforesaid bank located at Seventh and Pacific Streets, San Pedro, California, and any and all rights to demand, enforce and collect the same, and

b. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, and beneficially owned by Mitsuzo Tamura, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any



claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

1. Eleven hundred shares of \$100 par value, 7% cumulative convertible preferred stock of The New York, New Haven and Hartford Railroad Company, New Haven, Connecticut, a corporation organized under the laws of the States of Connecticut, Massachusetts and Rhode Island, evidenced by certificates numbered NY-19946 to NY-19956 inclusive, each one for 100 shares, dated February 6, 1941, and registered in the name of Yasitara Suga, and

2. The following securities registered in the name of Takeko Suga: a. Eighty nine hundred shares of \$100 par value, 7% cumulative convertible preferred stock of The New York, New Haven and Hartford Railroad Company, New Haven, Connecticut, a corporation organized under the laws of the States of Connecticut, Massachusetts and Rhode Island, evidenced by certificates numbered NY-19971 to NY-20054 inclusive, each one for 100 shares, dated February 10, 1941, and certificates numbered NY-20070 to NY-20074 inclusive, each one for 100 shares, dated February 13, 1941,

b. Twenty four hundred twenty five and one-half shares of \$1 par value common stock of Remington Rand Inc., 465 Washington Street, Buffalo, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered C68904 to C68923 inclusive, each one for 100 shares, dated February 10, 1941, certificates number C70012 and C70013, each one for 100 shares, dated May 1, 1941, certificates numbered C81350 for 100 shares, and C0188307 for 10 shares, dated June 1, 1944, and certificates numbered C85572 for 100 shares, C0212879 for 15 shares and Scrip Certificate Number SC20295 for 1/2 of a share, dated April 2, 1945, and

c. Two thousand shares of \$10 par value, capital stock of Alaska Juneau Gold Mining Company, 1022 Crocker Building, San Francisco, California, a corporation organized under the laws of the State of West Virginia, evidenced by certificates numbered 165773 to 165792 inclusive, each one for 100 shares, dated February 10, 1941.

[F. R. Doc. 46-9487; Filed, June 5, 1946; 10:58 a. m.]

[Vesting Order 6299]

KATHRYN FRIEDRICH

In re: Estate of Kathryn Friedrich, a/k/a Katherine Friedrich, deceased File D-28-10381; E. T. sec. 14771.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim

of any kind or character whatsoever of Karl Friedrich and Eva Kramer, and each of them, in and to the Estate of Kathryn Friedrich, a/k/a Katherine Friedrich, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

#### Nationals and Last Known Address

Karl Friedrich, Germany.  
Eva Kramer, Germany.

That such property is in the process of administration by Albert W. Keller, Jr., as Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 15, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-9486; Filed, June 5, 1946; 10:58 a. m.]

[Vesting Order P 32]

SANTA CLARA LUMBER CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That of the total of 4,861 shares, issued and outstanding, of the \$100 par value capital stock of Santa Clara Lumber Co., Inc., a corporation organized and doing business under the laws of the Commonwealth of the Philippines and a business enterprise within the United States, 2,520 shares (52%) are registered in the names of and are owned by the following persons in the amount appearing opposite each name and are evidence of control of Santa Clara Lumber Co., Inc.:

Names	Number of shares
Takashi Tanabe.....	840
Tagashi Yamaguchi.....	840
Kakuji Horita.....	840
Total.....	2,520

2. That Takashi Tanabe, Tagashi Yamaguchi and Kakuji Horita, subjects of Japan whose present whereabouts are unknown and who are believed to be residents of Japan, are nationals of a designated enemy country (Japan); and determining:

3. That the Santa Clara Lumber Co., Inc., is controlled by the persons named in subparagraph 2 hereof, or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 2,520 shares of \$100 par value capital stock of Santa Clara Lumber Co., Inc., more fully described in subparagraph 1 hereof, together with all declared and unpaid dividends thereon, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it



should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 7, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-9488; Filed, June 5, 1946;  
10:58 a. m.]

[Vesting Order P 33]

#### IMPERIAL JAPANESE GOVERNMENT

In re: Claim owned by the Imperial Japanese Government.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the property described as follows: All right, title, interest and claim of any name or nature whatsoever of the Imperial Japanese Government in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to it by Ramon Rocas, Inc., 1055 Soler, 715-21 Calero, T-V-T Publishing Corporation, Florentino Torres Street, Santa Cruz, Ramon Rocas, all of Manila, Commonwealth of the Philippines, and the heirs, personal representatives, next-of-kin, legatees and distributees, names unknown, of Alejandro Rocas, Sr., deceased, and in and to any sums received by them from the Imperial Japanese Government, including particularly but not limited to all right, title and interest in and to those sums in the total amount of ₱700,000, which were paid on or about October 12, 1942, to the above-named Ramon Rocas, by an officer of the Japanese Army on behalf of the Imperial Japanese Government, and any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-9489; Filed, June 5, 1946;  
10:58 a. m.]

[Vesting Order P34]

#### TENEHIKO NAKAJIMA AND ITSUKO NAKAJIMA

In re: Real property owned by Tenehiko Nakajima and Itsuko Nakajima.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Tenehiko Nakajima and Itsuko Nakajima, subjects of Japan, whose present whereabouts are unknown and who are believed to be residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows: Real property situated in the City of Manila, Commonwealth of the Philippines, therein registered and particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliv-

erable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.  
EXHIBIT A

TRANSFER CERTIFICATE OF TITLE NO. 63928

#### TECHNICAL DESCRIPTIONS

Lot No. 78-A

Bounded on the—

NE—by Lot No. 78-G of the subdivision plan;  
SE—by Lot No. 78-C of the subdivision plan;  
SW—by Lot No. 77-A of plan Psd-7519-Amd;  
NW—by Lot No. 83, Block No. 592.  
Area: 262.20 square meters.



## Lot No. 78-G

Bounded on the—

NE—by Lot No. 78-H of the subdivision plan;  
SE—by Lot No. 78-I of the subdivision plan;  
SW—by Lot No. 78-A of the subdivision plan;  
NW—by Lot No. 83, Block No. 592.

Area: 59.90 square meters.

Title issued in the name of Tanehiko Nakajima married to Itsuko Nakajima.

**Easements.** (1) Doc. No. 8086/T-8717. Court order declaring that Lot No. 78-G, 78-H, 78-I, 78-J, 78-K and 78-L of plan Psd-15983 form a street to give access to the adjoining lots of the subdivision.

(2) Doc. No. 8185/T-56837. Easement of right-of-way constituted upon Lot 78-G of plan Psd-15983, described in this certificate of title, by constructing an alley thereon.

[F. R. Doc. 46-9490; Filed, June 5, 1946; 10:59 a. m.]

## [Vesting Order P-35]

## NIPPON MOKUZAI KABUSHIKI KAISHA

In re: Property owned by Nippon Mokuzai Kabushiki Kaisha.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Nippon Mokuzai Kabushiki Kaisha, a corporation organized under the laws of and having its principal place of business in Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: a. Real property (excepting timber concessions), situated in the Sitio of Pata, Municipality of Claveria, Province of Cagayan, Commonwealth of the Philippines, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property transferred by a certain Deed of Sale dated November 3, 1943, executed by and between Philippine Red Lumber Co., Inc., through its president, Dee Hong Lue, as vendor, and said Nippon Mokuzai Kabushiki Kaisha, as vendee, and

b. All other property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, said Nippon Mokuzai Kabushiki Kaisha, including particularly, but not limited to, the personal property transferred by the Deed of Sale referred to in subparagraph 2-a hereof, is property of Nippon Mokuzai Kabushiki Kaisha;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in sub-

paragraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 2-b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-9491; Filed, June 5, 1946; 10:59 a. m.]

## [Vesting Order P 36]

## KUNITICHI NONODA AND SUO NONODA

In re: Real property and interest in building owned by Kunitichi Nonoda and Suo Nonoda.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kunitichi Nonoda and Suo Nonoda, subjects of Japan, whose present whereabouts are unknown and who are believed to be residents of Japan, are nationals of a designated enemy country (Japan);

2. That the aforesaid Kunitichi Nonoda and Suo Nonoda erected that certain two-story, commercial-residential house presently situated at Nos. 2200-2206 Juan Luna, City of Manila, Commonwealth of the Philippines, on real property owned by Estanislao Vargas, a Filipino, which real property is not being vested by this order, and that the aforesaid Kunitichi Nonoda and Suo Nonoda

have not been indemnified therefor in the manner provided by law and, to that extent, have an interest in the improvements referred to herein, which interest is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

3. That the property described as follows: Real property situated within the Barrio of Cubao, Quezon City, Commonwealth of the Philippines, therein registered and particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Kunitichi Nonoda and Suo Nonoda described in subparagraph 2 hereof, and hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a



hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

EXHIBIT A

TRANSCRIPT OF TRANSFER CERTIFICATE OF TITLE  
NO. 63658, PROVINCE OF RIZAL

It is hereby certified that certain land situated in Quezon City, Philippines, bounded and described as follows:

Lot 1, Block 1, subdivision plan Psd-14422, situated in Barrio Cubao, San Juan del Monte, Rizal. Bounded on the NE. by 15th Ave.; on the SE. by Lot 23-D-1, Psd-10654; on the SW. by Lot 12, Block 1 of the subdivision plan; and on the NW. by Lot 2, Block 1 of the subdivision plan. Area, 400 square meters. (Declaration No. 3544) Assessed value—P1,500.00

is registered in accordance with the provisions of the Land Registration Act in the name of: Kunitichi Nonoda married to Suo Nonoda as owner thereof in fee simple, subject to such of the incumbrances mentioned in Article 39 of said Act as may be subsisting.

It is further certified that said land was originally registered August 3, 1907, in the Registry Book of this Office No. A-4, Page 56.

EXHIBIT B

TRANSCRIPT OF TRANSFER CERTIFICATE OF TITLE  
NO. 63658, PROVINCE OF RIZAL

It is hereby certified that certain land situated in Quezon City, Philippines, bounded and described as follows:

Lot 6, Block 1, subdivision plan, Psd-14422, situated in the Barrio of Cubao, San Juan del Monte, Rizal. Bounded on the NE. by 15th Ave.; on the SE. by Lot 5, Block 1, subdivision plan; on the SW. by Lot 17, Block 1, subdivision plan. Area, 400 square meters. (Declaration No. 3545) Assessed value—P1,500.00

is registered in accordance with the provisions of the Land Registration Act in the name of: Kunitichi Nonoda married to Suo Nonoda as owner thereof in fee simple, subject to such of the incumbrances mentioned in Article 39 of said Act as may be subsisting.

It is further certified that said land was originally registered August 3, 1907, in the Registry Book of this Office No. A-4, Page 56.

[F. R. Doc. 46-9492; Filed, June 5, 1946;  
10:59 a. m.]

[Supp. Vesting Order P 37]

OKURA & CO.

In re: Personal property owned by Okura & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation, finding:

1. Having found and determined by Vesting Order Number 185, dated September 28, 1942, that Okura & Company is a national of a designated enemy country (Japan);

2. Finding that the property described as follows: Personal property in the custody of the Enemy Property Custodian, AFWESPAC, APO 707, consisting of two horizontal iron boilers, one concrete furnace and one small concrete pier foundation, all located on the land of one, M. Pilar, directly east of the dike which connects Vigan and Bantay, on the Vigan-Bantay Road, Ilocos Sur, Island of Luzon, Commonwealth of the Philippines,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-9493; Filed, June 5, 1946;  
10:59 a. m.]

[Vesting Order P 38]

ONODA CEMENT CO.

In re: Real property owned by Onoda Cement Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Onoda Cement Company, a corporation organized under the laws of, and having its principal place of business in Japan, is a national of a designated enemy country (Japan);

2. That the property described as follows: a. Real property situated in the Municipality of Pasay, Province of Rizal, Commonwealth of the Philippines, and registered in the Office of the Register of Deeds for the City of Manila, P. I., particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All other property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Onoda Cement Company, including but not limited to that certain Membership Fee Certificate in Wack Wack Golf and Country Club, Inc., a corporation organized under the laws of the Commonwealth of the Philippines, which Membership Fee Certificate is registered in the name of Onoda Cement Company, and all rights evidenced by said Certificate,

is property of Onoda Cement Company;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a and the real property encompassed within the scope of subparagraph 2-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian all other property encompassed within the scope of subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing



of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

## EXHIBIT A

Parcel 1 Book No. T-218 Page 84  
Judicial Form No. 154-D  
(Revised November, 1940)

TRANSFER CERTIFICATE OF TITLE NO. 64834 OFFICE  
OF THE REGISTER OF DEEDS FOR THE CITY OF  
MANILA

It is hereby certified that certain land situated in the City of Manila, Philippines, bounded and described as follows:

A parcel of land (Lot "D" of the subdivision plan Bsd-2911, equivalent to Lot No. 2258 of the Cadastral Survey of Pasay, and a portion of Block No. 16 of the Pasay Estate, G. L. R. O. Record No. 317), situated in the Municipality of Pasay, Province of Rizal. Bounded on the NE. by Lot No. 2119; on the SE. by Lot "A" of the subdivision plan, equivalent to Lot No. 2120 of the Pasay Cadastre; on the SW. by Lot "F" of the subdivision plan, equivalent to Lot No. 2257 of the Pasay Cadastre; and on the NW. by Lots Nos. 3334 and 2112. \* \* \* Containing an area of One Thousand Six Hundred Fifty-six (1,656) square meters, more or less.

is registered in accordance with the provisions of the Land Registration Act in the name of Onoda Cement Company, a Japanese corporation, 3rd Floor, Ayala Building, Manila, as owner thereof in fee simple, subject to such of the encumbrances mentioned in Article 39 of said Act as may be subsisting, and to . . .

It is further certified that said land was originally registered on the 19th day of June, in the year nineteen hundred and six, in the Registration Book of the Office of the Register of Deeds of Rizal, Vol. A-2, page 82, as Original Certificate of Title No. 182, pursuant to Decree No. 1197 issued in G. L. R. O. ----- Record No. 317.

This Certificate is a transfer from Transfer Certificate of Title No. 23609-R, which is cancelled by virtue hereof as far as the above described land is concerned.

Entered in the City of Manila, Philippines, on the 1st day of March, in the year nineteen hundred and forty-three, at 10:45 a. m.

3rd Floor, Ayala Building, Manila (owner's post office address).

Attest:

(Sgd.) MARIANO VILLANUEVA,  
Register of Deeds.

Parcel 2  
Judicial Form No. 154-D  
(Revised November, 1940)

TRANSFER CERTIFICATE OF TITLE NO. 64835 OFFICE  
OF THE REGISTER OF DEEDS FOR THE CITY OF  
MANILA

It is hereby certified that certain land situated in the City of Manila, Philippines, bounded and described as follows:

A parcel of land (Lot "A" of the subdivision plan Bsd-2911, equivalent to Lot No. 2120 of the Cadastral Survey of Pasay, and a portion of Block No. 16 of the Pasay Estate, G. L. R. O. Record No. 317, situated in the Municipality of Pasay, Province of Rizal. Bounded on the NE. by Lots Nos. 2119 and 2124; on the SE. by Lots Nos. 2123, 2122, and 1885; on the SW. by Lot "C" of the subdivision plan; and on the NW. by Lot "D" of the subdivision plan. \* \* \* Containing an area of one thousand six hundred thirteen (1,613) square meters, more or less.

is registered in accordance with the provisions of the Land Registration Act in the name of Onoda Cement Company, a Japanese corporation, 3rd Floor, Ayala Building, Manila, as owner thereof in fee simple, subject to such of the encumbrances mentioned in Article 39 of said Act as may be subsisting, and to . . .

It is further certified that the said land was originally registered on the 19th day of June, in the year nineteen hundred and six, in the Registration Book of the Office of the Register of Deeds of Rizal, Vol. A-2 page 82, as Original Certificate of Title No. 182, pursuant to Decree No. 1197 issued in G. L. R. O. ----- Record No. 317.

This Certificate is a transfer from Transfer Certificate of Title No. 23610-R, which is cancelled by virtue hereof as far as the above described land is concerned.

Entered at the City of Manila, Philippines, on the 1st day of March, in the year nineteen hundred and forty-three, at 10:45 a. m.  
3rd Floor, Ayala Building, Manila (owner's post office address).

Attest:

(Sgd.) MARIANO VILLANUEVA,  
Register of Deeds.

Parcel 3 Book No. T-218 Page 86  
Judicial Form No. 154  
(Revised November, 1940)

TRANSFER CERTIFICATE OF TITLE NO. 64836 OFFICE  
OF THE REGISTER OF DEEDS FOR THE CITY OF  
MANILA

It is hereby certified that certain land in the City of Manila, Philippines, bounded and described as follows:

A parcel of land (Lot No. 2119-B of the subdivision plan Psd-15783, being a portion of Lot No. 2119 of the Cadastral Survey of Pasay, G. L. R. O. Cad. Record No. 1356), situated in the Barrio of Santa Clara, Municipality of Pasay, Province of Rizal. Bounded on the NE. by Road and Lot No. 2118; on the SE. by lot No. 2119-A of the sub-division plan; on the SW. by Lot No. 2120 and Lot 2258; and on the NW. by Lot No. 2112. \* \* \* Containing an area of Seven Hundred Sixty Four Square Meters (764), more or less.

is registered in accordance with the provisions of the Land of Registration Act in the name of Onoda Cement Company, a Japanese corporation, 3rd Floor, Ayala Building, Manila, as owner thereof in fee simple, subject to such of the encumbrances mentioned in Article 39 of said Act as may be subsisting, and to . . .

It is further certified that said land was originally registered on the 19th day of June, in the year nineteen hundred and six, in the Registration Book of the Office of the Register of Deeds of Rizal, Vol. A-2 page 82, as Original Certificate of Title No. 182, pursuant to Decree No. 1197 issued in G. L. R. O. ----- Record No. 317 Cad. 1356.

This Certificate is a transfer from Transfer Certificate of Title No. 37618-R, which is

cancelled by virtue hereof as far as the above described land is concerned.

Entered at the City of Manila, Philippines, on the 1st day of March, in the year nineteen hundred and forty-three, at 10:45 a. m.

3rd Floor, Ayala Building, Manila (owner's post office address).

Attest:

(Sgd.) MARIANO VILLANUEVA,  
Register of Deeds.

[F. R. Doc. 46-9494; Filed, June 5, 1946;  
10:59 a. m.]

[Vesting Order P 39]

ORIENTAL INDUSTRIAL CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the books and records of Oriental Industrial Company, Inc., a corporation organized under the laws of the Commonwealth of the Philippines and a business enterprise within the United States, being either lost or destroyed, are unavailable but that according to an affidavit dated August 21, 1941, executed by Shohei Kitajima, President of said corporation, and filed by said corporation with the High Commissioner of the Philippines, Manila, P. I., as a part of its report to the Foreign Funds Control, United States Treasury Department, Washington, D. C., on Form TFBE-1, all of the subscribed and fully paid capital stock of Oriental Industrial Company, Inc., having a total capitalization of ₱400,000, is owned by the following persons in the amount appearing opposite each name and is evidence of ownership and control of Oriental Industrial Company, Inc.:

Names:	Amounts
Shohei Kitajima-----	₱120,000
K. Kanazawa-----	120,000
A. Kagawa-----	120,000
I. Sugawara-----	20,000
H. Hata-----	20,000
Total-----	400,000

2. That Shohei Kitajima, K. Kanazawa, A. Kagawa, I. Sugawara and H. Hata are subjects to Japan, whose present whereabouts are unknown, are believed to be residents of Japan and are nationals of a designated enemy country (Japan);

and determining:

3. That Oriental Industrial Company, Inc., is controlled by the persons named in subparagraph 2 hereof, or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all of the subscribed and fully paid shares of capital stock of Oriental



Industrial Company, Inc., together with all declared and unpaid dividends thereon, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-9495; Filed, June 5, 1946;  
10:59 a. m.]

[Vesting Order P 40]

YOSHIMI TAKAHASHI AND FUMIKO  
TAKAHASHI

In re: Real and personal property owned by Yoshimi Takahashi and Fumiko Takahashi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Yoshimi Takahashi and Fumiko Takahashi, subjects of Japan whose present whereabouts are unknown and who are believed to be residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows: a. Real property situated in the City of Manila, Commonwealth of the Philippines, therein registered and particularly described in Exhibits A and B,

attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. Personal property located on the premises described in Exhibits A and B hereof, and more particularly described in Exhibit C, attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 2-b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

TRANSCRIPT OF TRANSFER CERTIFICATE OF TITLE  
NO. 64089, BOOK NO. T-215

It is hereby certified that certain land situated in the City of Manila, Philippines, bounded and described as follows:

"1. Un terreno (Lote No. 5 del Block No. 2570 de la medicion cadastral de la Ciudad de Manila), con las edificaciones de materiales fuertes en el mismo, situado en la linea SE. de la Plaza Sta. Ana, Distrito de Quiapo. Linda por el NE. con el Lote No. 6 del Block No. 2570; por el SE. con el Lote No. 14 del Block No. 2570; por el SO. con el Lote No. 4 del Block No. 2570; y por el NO. con la Plaza Sta. Ana. \* \* \* midiendo una extension superficial de Setecientos Cuarenta y Siete Metros Cuadrados Con Sesenta Decimetros Cuadrados (747.60 mas o menos."

"2. Un terreno (Lote No. 14 del Block No. 2570 de la medicion cadastral de la Ciudad de Manila), con las edificaciones de materiales fuertes existentes en el mismo, situado en el Distrito de Quiapo. Linda por el NE. y SE. con el Estero de San Miguel; por el SO. con el estero de San Miguel y con el Lote No. 4 del Block No. 2570; y por el NO. con el Lote No. 5 del Block No. 2570; \* \* \* midiendo una extension superficial de Noventa y Tres Metros Cuadrados Con Cincuenta Decimetros Cuadrados (93.50), mas o menos."

is registered in accordance with the provisions of the Land Registration Act in the name of: Yoshimi Takahashi, married to Fumiko Takahashi, Japanese.

This certificate is a transfer from T. C. T. No. 49714, Book No. T-157, in the name of Julia Vargas Vda. de Ortigas.

#### EXHIBIT B

TRANSCRIPT OF TRANSFER CERTIFICATE OF TITLE  
NO. 64090, BOOK NO. T-215, PAGE 80

It is hereby certified that certain land situated in the City of Manila, Philippines, bounded and described as follows:

"Un terreno (Lote No. 4 del Block No. 2570 de la medicion cadastral de la ciudad de Manila), situado en la linea SE de la Plaza Sta. Ana, Distrito de Quiapo. Linda por el NE. con los lotes Nos. 5 y 14 del Block No. 2570; por el SE. con el Estero de San Miguel; por el SO. con los lotes Nos. 2 y 3 del Block No. 2570; y por el NO. con la Plaza de Sta. Ana; \* \* \* midiendo una extension superficial de Setecientos Sesenta y Cuatro Metros Cuadrados con Setenta Decimetros Cuadrados (764.70), mas o menos."

is registered in accordance with the provisions of the Land Registration Act in the name of: Yoshimi Takahashi, married to Fumiko Takahashi, Japanese.

This Certificate is a transfer from T. C. T. No. 49715, Book No. T-175, in the name of Julia Vargas Vda. de Ortigas.

#### Exhibit C

Furniture and fixtures located in the building at 120 Legarda St., Manila, P. I.

- 2 big oval mirrors.
- 2 marble consoles.
- 1 large table (marble top).
- 2 benches for flower pots.
- 1 bronze bench for flower pots.
- 1 small table-dresser, with electric lights.
- 1 picture of the Barcelona Exposition of 1929.
- 4 chandeliers with four lights.
- 2 chandeliers with three lights.
- 1 wall light with globe shade.
- 1 medicine cabinet.
- 12 lights with globe shades.
- 1 china closet with three doors.
- 3 china closets with glass.
- 1 narra table for 18 persons.
- 2 wall lights with shades.
- 2 wall racks with four shelves.
- 1 gas stove.
- 4 tables (green marble top) with drawers.
- 1 small cabinet for food.



1 small wardrobe.  
1 center table for narra.  
1 small table.  
2 wooden armchairs.  
2 bronze statues.  
1 wardrobe.  
2 big armchairs covered with tapestry.  
1 large narra table.  
1 wall rack, with four shelves.  
1 wardrobe, wooden.  
1 cabinet with crystal doors.  
1 dresser with glass.

[F. R. Doc. 46-9496; Filed, June 5, 1946;  
11:00 a. m.]

[Vesting Order P 41]

GENZO KOBAYASHI AND TOME KOBAYASHI

In re: Real property owned by Genzo Kobayashi and Tome Kobayashi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Genzo Kobayashi and Tome Kobayashi, subjects of Japan, whose present whereabouts are unknown and who are believed to be residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows: Real property situated in Cubao, Quezon City, Commonwealth of the Philippines, therein registered and particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing

of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 13, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

DESCRIPTION OF LAND AS TAKEN FROM THE RECORDS OF THE OFFICE OF THE REGISTER OF DEEDS, CITY OF MANILA, PHILIPPINES TITLE 82, VOLUME T-1 (QUEZON CITY)

Genzo Kobayashi, married to Tome Kobayashi

(1) A parcel of land (lot No. 7-c sub-block No. 13-F, subdivision plan Psd-473, being a part of lot No. 7 sub-block No. 13-F Psd-244), situated in the Municipality of San Juan del Monte, Province of Rizal. Bounded on the NE. by lot No. 7-D, sub-block No. 13-F Psd-473; on the SE. by lot No. 7-A, sub-block No. 13-F Psd-473; on the SW. by lots Nos. 3 and 4, sub-block No. 13-F Psd-244, and on the NW. by lot No. 7-E, sub-block No. 13-F Psd-473 . . . containing an area of 881 square meters.

(2) A parcel of land (lot No. 7-D, sub-block No. 13-F, subdivision plan Psd-473, being a part of lot No. 7, sub-block No. 13-F Psd-244), situated in the Municipality of San Juan del Monte, Province of Rizal. Bounded on the NE. by Sres. Tuason Estate; on the SE. by lot No. 7-B, sub-block No. 13-F Psd-473; on the SW. by lot No. 7-c, sub-block No. 13-F Psd-473, and on the NW. by lot No. 7-E, sub-block No. 13-F Psd-473 . . . containing an area of 29,780 square meters.

[F. R. Doc. 46-9497; Filed, June 5, 1946;  
11:00 a. m.]

[Vesting Order P 42]

DAVAO COMMERCIAL CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That The Davao Commercial Co., Inc., a corporation which was organized in the Commonwealth of the Philippines by order of, and acted directly or indirectly for the benefit or on behalf of the Military Administration in the Philippines of the Imperial Japanese Government, is a business enterprise within the United States and is a national of a designated enemy country (Japan);

2. That the property described as follows: a. Real property situated in the

Barrio of Caridad, Province and Municipality of Cavite, Commonwealth of the Philippines, therein registered and particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All other property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, The Davao Commercial Co., Inc., including but not limited to personal property located in the improvements to the real property described in subparagraph 2-a hereof, and particularly described in Exhibit B, attached hereto and by reference made a part hereof, is property of The Davao Commercial Co., Inc.;

and determining:

3. That The Davao Commercial Co., Inc., is controlled by or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 2-b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.



Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 20, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

Transfer Certificate of Title, No. 350, Cavite, Cavite, dated October 28, 1943, covering a parcel of land consisting of 869 sq. m. more or less, in Caridad, Cavite, more particularly described as follows:

(a) A parcel of land (Lot No. 1-E of the subdivision plan Psd. 6539, being a portion of Lot No. 1, Block No. 9 and part of the original lot No. 1065 of the Cadastral Survey of Cavite, G. L. R. O. Record No. 9539), with the building of strong materials existing thereon, situated in the Barrio of Caridad, Municipality of Cavite, Province of Cavite, Island of Luzon. Bounded on the NW. by lot No. 1-F of the subdivision plan and lot No. 1-I on the subdivision plan; on the NE. by a Road (Lot No. 1065-C); on the SE. by Lots Nos. 1-A, 1-B, 1-C and 1-D of the subdivision plan; and on the SW. by Calle Cemento (Lot No. 1065-B). x x x containing an area of Eight Hundred Sixty-nine Square Meters (869), more or less. All points referred to are indicated on the plan and on the ground are marked by P. L. S. Concrete Monuments 15 x 60 cm. Bearings true; declination 0 deg. 50' E.; Date of original survey, Dec. 1909 to March 1910 and that of the subdivision survey, June 19, 1930.

(b) Wooden framed building with corrugated sheet iron on sides and roof, approx. 20 meters x 25 meters which shelters the Ice Plant.

#### EXHIBIT B

##### PERSONAL PROPERTY

(1) 1 5-ton ice plant unit, Frick Brank consisting of:

- 1 Frick 6" x 6" Compressor No. 37482.
- 1 "Crossley" 32" hp. Diesel engine No. 119620.
- 1 4" x 4 1/2" Water pump "Deming."
- 1 Brine tank 19'6" x 12'6" x 3'9".
- 80 300 lbs. cans.
- 1 Overhead hoist for lifting cans.
- Line shaft and pulleys and belting sufficient to operate complete plant.
- 68 Air agitation tubes.
- 1 Double pipe condenser.

(2) 1 7-ton unit "Frick" consisting of:

- 1 6" x 6" Frick Compressor No. 27543.
- 1 Crossley 45 hp. Diesel engine—engine No. 127806.
- 1 5" x 5" circulating pump.
- 1 Brine tank 21' x 14'6" x 4'3".
- 1 Roots blower for agitating air.
- 1 water cooling tower for condenser.
- 1 Ice storage room size 10' x 15'7"—approx.
- 108 Ice cans—no agitation tubes.
- 2 Sheet and tube condensers.

[F. R. Doc. 46-9498; Filed, June 5, 1946; 11:00 a. m.]

[Vesting Order P 43]

#### HITO KOPURA TOOSEI KOMIAI

In re: Hito Kopura Toosei Komiai, also known as The Philippine Copra Control Association.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hito Kopura Toosei Komiai, also known as The Philippine Copra Control Association, a corporation which was organized in the Commonwealth of the Philippines by order of, and acted directly or indirectly for the benefit or on behalf of, the Military Administration in the Philippines of the Imperial Japanese Government, is a business enterprise within the United States and is a national of a designated enemy country (Japan);

2. That the property described as follows: a. Real property situated in the District of Santa Ana, City of Manila, Commonwealth of the Philippines, therein registered and particularly described in Exhibits A to C, inclusive, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All other property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, Hito Kopura Toosei Komiai, also known as The Philippine Copra Control Association,

is property of Hito Kopura Toosei Komiai, also known as The Philippine Copra Control Association;

and determining:

3. That Hito Kopura Toosei Komiai, also known as The Philippine Copra Control Association, is controlled by or is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the National interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said

business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 20, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

Book No. T-225 Page 213

CERTIFICATE OF TITLE NO. 66823, OFFICE OF THE REGISTER OF DEEDS FOR THE CITY OF MANILA

It is hereby certified that certain land situated in the City of Manila, Philippines, bounded and described as follows:

A parcel of land (Lot No. 7 of Block No. 1416 of the Cadastral Survey of the City of Manila), with the buildings and improvements existing thereon, situated in the district of Sta. Ana. Bounded on the NE. by the Pasig River and Lot No. 10 of Block No. 1416; on the SE. by Lot No. 4 of Block No. 1417, a Callejon and Lots Nos. 10, 8, 6, 5 and 1 of Block No. 1416; on the SW. and W. by Lot No. 1 of Block No. 1416; and on the NW. by lot No. 9 of Block No. 1416. \* \* \* Containing an area of Fourteen Thousand and Forty-four Square Meters and Fifty Square Decimeters (14,044.50), more or less. \* \* \* Date of Survey, August 12, 1917 to October 18, 1917. (Full technical description appears on T. C. T. No. 55418, Reg. Book T-150).

is registered in accordance with the provisions of the Land Registration Act in the name of Hito Kopura Toosei Komiai (the Philippine Copra Control Association) as owner thereof in fee simple subject to such of the incumbrances mentioned in Article 39 of said Act as may be subsisting, and to . . .

It is further certified that said land was originally registered on the 26th day of February, in the year nineteen hundred and seventeen, in the Registration Book of the Office of the Register of Deeds of Manila,



Volume 0-7 page 417, as Original Certificate of Title No. 3417, pursuant to Decree No. 28226, issued in G. L. R. O. Cadastral Record No. 204.

This certificate is a transfer from Transfer Certificate of Title No. 55418/T-180, which is cancelled by virtue hereof as far as the above described land is concerned.

Entered at the City of Manila, Philippines, on the 29th day of July, in the year nineteen hundred and forty-three, at ----- m.

174 Juan Luna, Manila (owner's postal address).

Attest:

(Sgd.) MARIANO VILLANUEVA,  
Register of Deeds.

EXHIBIT B

Book No. T-225 Page 214

TRANSFER CERTIFICATE OF TITLE NO. 66824 OFFICE OF THE REGISTER OF DEEDS FOR THE CITY OF MANILA

It is hereby certified that certain land situated in the City of Manila, Philippines, bounded and described as follows:

A parcel of land (Lot No. 10 of Block No. 1416 of the Cadastral Survey of the City of Manila), situated in the District of Sta. Ana. Bounded on the NE. by a Callejon; on the SE. by Lot No. 11 of Block No. 1416; on the SW. by Lots Nos. 8 and 7 of Block No. 1416; and on the NW. by Lot No. 7 of Block No. 1416. \* \* \* Containing an area of one hundred and thirty-four square meters and fifty square decimeters (134.50), more or less. \* \* \* Date of Survey, August 12, 1917 to October 18, 1917 (Full technical description appears on T. C. T. No. 55419, Reg. Book No. T-180).

Is registered in accordance with the provisions of the Land Registration Act in the name of Hito Kopura Toosei Kumiai (The Philippine Copra Control Association) as owner thereof in fee simple, subject to such of the incumbrances mentioned in Article 39 of said Act as may be subsisting, and to . . .

It is further certified that the said land was originally registered on the 26th day of February, in the year nineteen hundred and seventeen, in the Registration Book of the Office of the Register of Deeds of Manila, Volume 0-7 Page 417, as Original Certificate of Title No. 3417, pursuant to Decree No. 28226 issued in G. L. R. O. Cadastral Record No. 204.

This certificate is a transfer from Transfer Certificate of Title No. 55419/T-180, which is cancelled by virtue hereof as far as the above-described land is concerned.

Entered at the City of Manila, Philippines, on the 29th day of July, in the year nineteen hundred and forty-three, at ----- m.

174 Juan Luna, Manila (owner's postal address).

Attest:

(Sgd.) MARIANO VILLANUEVA,  
Register of Deeds.

EXHIBIT C

Book No. T-225 Page 215

TRANSFER CERTIFICATE OF TITLE NO. 66825 OFFICE OF THE REGISTER OF DEEDS FOR THE CITY OF MANILA

It is hereby certified that certain land situated in the City of Manila, Philippines, bounded and described as follows:

A parcel of land (Lot No. 11 of Block No. 1416 of the Cadastral Survey of the City of Manila), situated in the District of Sta. Ana. Bounded on the NE. and SE. by a Callejon; on the SW. by Lot No. 4 of Block No. 1416; and on the NW. by Lot No. 10 of Block No. 1416. \* \* \* Containing an area of Thirty Eight Square Meters and Eighty Square Decimeters (88.80), more or less. \* \* \* Date of Survey, August 12, 1917 to October 18, 1917 (Full technical description appears on T. C. T. No. 55420, Reg. Book No. T-180).

Is registered in accordance with the provisions of the Land Registration Act in the name of Hito Kopura Toosei Kumiai (The Philippine Copra Control Association) as owner thereof in fee simple, subject to such of the incumbrances mentioned in Article 39 of said Act as may be subsisting, and to . . .

It is further certified that said land was originally registered on the 10th day of March, in the year nineteen hundred and eleven, in the Registration Book of the Office of the Register of Deeds of Manila, Volume 0-7 page 446, pursuant to Decree No. 4276, issued in G. L. R. O. Cadastral Record No. 204.

This certificate is a transfer from Transfer Certificate of Title No. 55420/T-180, which is cancelled by virtue hereof as far as the above described land is concerned.

Entered at the City of Manila, Philippines, on this 29th day of July, in the year nineteen hundred and forty-three, at ----- m.

174 Juan Luna, Manila (owner's postal address).

Attest:

(Sgd.) MARIANO VILLANUEVA,  
Register of Deeds.

[F. R. Doc. 46-9499; Filed, June 5, 1946;  
11:00 a. m.]

[Vesting Order P 44]

GINZABURO TAMADA AND TOYO TAMADA

In re: Real property owned by Ginza-buro Tamada and Toyo Tamada.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ginza-buro Tamada and Toyo Tamada, subjects of Japan whose present whereabouts are unknown and who are believed to be residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows: Real property situated in Ermita, City of Manila, Commonwealth of the Philippines, therein registered and particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, subject to recorded liens,

encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 20, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

TRANSFER CERTIFICATE OF TITLE NO. 50250, MANILA BOOK NO. T-159

Technical Description

"A parcel of land (Lot No. 7, Block No. 308), with a building situated thereon, located on Calle Concepcion, District of Ermita. Bounded on the N. by the properties owned by Ciriaco Roxas y Salamanca and Geronimo Jose; on the E. by a callejon without a name; and on the W. by the properties owned by Remigio Espejo and Pio Barreto. Containing an area of three hundred thirty-three square meters and fifty square decimeters (333.50), more or less."

[F. R. Doc. 46-9500; Filed, June 5, 1946;  
11:00 a. m.]

[Vesting Order P 45]

TOKYO SEIKO KABUSHIKI KAISHA

In re: Property owned by Tokyo Seiko Kabushiki Kaisha.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Tokyo Seiko Kabushiki Kaisha, a corporation organized under the laws of and having its principal place of business in Japan, is a national of a designated enemy country (Japan);



2. That the property described as follows: a. Real property situated in the City of Manila, Commonwealth of the Philippines, therein registered and particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All other property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Tokyo Seiko Kabushiki Kaisha, including but not limited to two Membership Fee Certificates in Wack Wack Golf and Country Club, Inc., a corporation organized under the laws of the Commonwealth of the Philippines, which Membership Fee Certificates are registered in the name of Tokyo Seiko Kabushiki Kaisha or Tokyo Seiko Kaisha, Ltd., and all rights evidenced by said Certificates,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires

that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a and the real property encompassed within the scope of subparagraph 2-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian all other property encompassed within the scope of subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it

should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 20, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*  
EXHIBIT A

#### DESCRIPTION OF PROPERTY

A two-story residential house and one-story combined servants' quarters and garage, all of which are of strong materials, assessed for taxation and erected on the land of Tokyo Seiko Kabushiki Kaisha, Lot No. 5, sub-division plan Pcs-823, being a portion of Lots Nos. 7 and 14B of plan Pcd-3947, with an area of 506.10 square meters (more or less), registered under Transfer Certificate of Title 64085, in name and style, Tokyo Seiko Kabushiki Kaisha, Register of Deeds, City of Manila, Philippine Islands.

[F. R. Doc. 46-9501; Filed, June 5, 1946; 11:01 a. m.]